

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 1st day of June, two thousand eighteen.

Jack Ferranti,

Petitioner- Appellant,

ORDER

Docket No: 17-2878

v.

United States of America,

Respondent - Appellee.

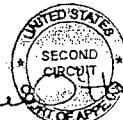
Appellant, Jack Ferranti, filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*. The panel that determined the appeal has considered the request as a motion for reconsideration, and the active members of the Court have considered the request for rehearing *en banc*.

IT IS HEREBY ORDERED that the motion and petition are denied.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

Catherine O'Hagan Wolfe



United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8th day of March, two thousand eighteen.

Present:

José A. Cabranes,
Susan L. Carney,
Circuit Judges,
Lawrence J. Vilardo,*
District Judge.

Jack Ferranti,

Petitioner-Appellant,

v.

17-2878

United States of America,

Respondent-Appellee.

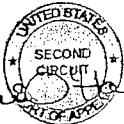
Appellant, pro se, moves for "relief under Rule 60(b)," which we construe as a motion for a certificate of appealability. Upon due consideration, it is hereby ORDERED that the construed motion is DENIED and the appeal is DISMISSED because Appellant has failed to show that "(1) jurists of reason would find it debatable whether the district court abused its discretion in denying the Rule 60(b) motion, and (2) jurists of reason would find it debatable whether the underlying habeas petition, in light of the grounds alleged to support the Rule 60(b) motion, states a valid claim of the denial of a constitutional right." *Kellogg v. Strack*, 269 F.3d 100, 104 (2d Cir. 2001).

We also construe the Appellant's papers as a request for an order authorizing the United States District Court for the Northern District of New York to consider a successive § 2255 motion, and,

* Judge Lawrence J. Vilardo, of the United States District Court for the Western District of New York, sitting by designation.

as construed, it is ORDERED that Appellant's motion for leave to file a successive § 2255 motion is DENIED because he has not satisfied the criteria set forth in 28 U.S.C. 2255(h). *See also Tyler v. Cain*, 533 U.S. 656, 663 (2001).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court


Catherine O'Hagan Wolfe

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

JACK FERRANTI

v

ORDER
CV16-3762

UNITED STATES OF AMERICA

X

Jack B. Weinstein, Senior United States District Judge

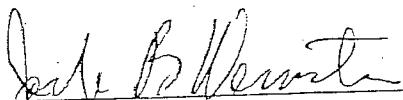
The Clerk of Court is directed to close the captioned case.

FILED
CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUL 13 2017 ★

BROOKLYN OFFICE

SO ORDERED



JACK B. WEINSTEIN
SR. UNITED STATES DISTRICT JUDGE

Dated: 7/13/17

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUL 13 2017 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

JUDGMENT AND ORDER
OF DISMISSAL

v

CR95-119

JACK FERRANTI

-----X

JACK FERRANTI

v

CV16-3762

UNITED STATES OF AMERICA

-----X

Jack B. Weinstein, Senior United States District Judge

By motion dated March 23, 2017, filed March 27, 2017, marked as in CR95-119, Jack Ferranti moves to have the court "accept his supplemental pleading." The motion is denied as moot. See this court's order of July 6, 2017 in CV16-3762.

By motion dated March 23, 2017, Jack Ferranti moves to vacate "his erroneous sentence." This motion is denied as moot. See this court's order of July 6, 2017 in CV16-3762.

By motion dated March 23, 2017, Jack Ferranti moves for appointment of counsel in CR95-119. This motion is denied as moot. See this court's order of July 6, 1027 in CV16-3762.

By motion dated March 23, 2017, Jack Ferranti moves for the last page of the docket sheet in CR95-119. The page is attached to this order with a copy of the first page of the docket sheet in CR95-119. This order together with this court's order of July 6, 2017 in

CV16-3762 shall be mailed to Mr. Ferranti.

No open motion or case of Mr. Ferranti is before this court.

SO ORDERED



JACK B. WEINSTEIN
SR. UNITED STATES DISTRICT JUDGE

Dated: 7/11/2017