

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUN 25 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: ARCHIE CABELLO.

No. 18-71205

ARCHIE CABELLO,

D.C. No. 3:16-cv-01780-JO  
District of Oregon,  
Portland

Petitioner,

ORDER

v.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON,  
PORTLAND,

Respondent,

UNITED STATES OF AMERICA,

Real Party in Interest.

Before: CANBY, WARDLAW, and RAWLINSON, Circuit Judges.

Petitioner has not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus. *See Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Accordingly, the petition is denied.

The motion to proceed in forma pauperis is denied as moot.

No further filings will be entertained in this closed case.

**DENIED.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

ARCHIE CABELLO,	)	
	)	3:16-CV-01780-JO
Defendant-Petitioner	)	3:10-CR-00482-JO-01
	)	
v.	)	
	)	JUDGMENT
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

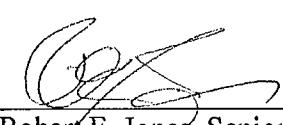
---

JONES, District Judge:

Based on the record, it is ORDERED and ADJUDGED that this action is dismissed with prejudice. The court declines to issue a certificate of appealability on the basis that petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. §2253 (c)(2). All other pending motions are DENIED as MOOT.

IT IS SO ORDERED.

DATED this 21st day of February, 2017.



\_\_\_\_\_  
Robert E. Jones, Senior Judge  
United States District Court

JUDGMENT

**Additional material  
from this filing is  
available in the  
Clerk's Office.**