

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 18-1680

Dale Giles

Appellant

v.

United States of America

Appellee

---

Appeal from U.S. District Court for the District of Nebraska - Omaha  
(8:11-cv-00017-LSC)

---

**ORDER**

[ The petition for rehearing by the panel is denied.

November 19, 2018

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

---

/s/ Michael E. Gans

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

---

No: 18-1680

---

Dale Giles

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

---

Appeal from U.S. District Court for the District of Nebraska - Omaha  
(8:11-cv-00017-LSC)

---

**JUDGMENT**

Before COLLOTON, SHEPHERD and ERICKSON, Circuit Judges.

Appellant's motion for leave to proceed on appeal in forma pauperis is denied.

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed.

August 29, 2018

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

---

/s/ Michael E. Gans