

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 18-5039**

**September Term, 2018**

**1:17-cv-01548-UNA**

**Filed On: April 5, 2019**

In re: Joseph Kinard,

Appellant

**BEFORE:** Garland, Chief Judge, and Henderson, Rogers, Tatel, Griffith, Srinivasan, Millett, Pillard, Wilkins, Katsas, and Rao, Circuit Judges, and Sentelle, Senior Circuit Judge

**ORDER**

Upon consideration of the petition for rehearing en banc, and the absence of a request by any member of the court for a vote, it is

**ORDERED** that the petition be denied.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 18-5039**

**September Term, 2018**

**1:17-cv-01548-UNA**

**Filed On: February 26, 2019**

In re: Joseph Kinard,

Appellant

**BEFORE:** Henderson and Srinivasan, Circuit Judges, and Sentelle, Senior Circuit Judge

**ORDER**

Upon consideration of the motions to stay the mandate, it is

**ORDERED** that the motions be denied. Reinstating this case would be a “futile gesture,” as this court lacks jurisdiction to review the letter to appellant from the district court’s Committee on Grievances. Thomas v. Holder, 750 F.3d 899, 903 (D.C. Cir. 2014) (internal quotation marks omitted).

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Laura Chipley  
Deputy Clerk

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 18-5039**

**September Term, 2018**

**1:17-cv-01548-UNA**

**Filed On: April 5, 2019**

In re: Joseph Kinard,

Appellant

**BEFORE:** Henderson and Srinivasan, Circuit Judges, and Sentelle, Senior Circuit Judge

**ORDER**

Upon consideration of the petition for rehearing, it is

**ORDERED** that the petition be denied.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

**FILED**

**AUG 18 2017**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia**

In re

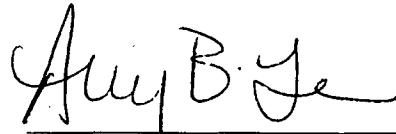
Civil Action No. 17-1548 (UNA)

JOSEPH KINARD.

**MEMORANDUM OPINION**

Joseph Kinard has filed a complaint. It is not a civil action, however. Rather, Mr. Kinard alleges professional misconduct on the part of Keven E. Byrnes, a former Assistant United States Attorney. This is a matter more appropriately addressed by the Committee on Grievances. Accordingly, the Court will dismiss this civil action and refer Mr. Kinard's complaint to the Committee on Grievances. An Order is issued separately.

DATE: 8/14/17



United States District Judge

**FILED**

**AUG 18 2017**

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

In re

JOSEPH KINARD. : Civil Action No. 17-1548 (UNA)

**ORDER**

For the reasons stated in the accompanying Memorandum Opinion, it is hereby  
ORDERED that the plaintiff's application to proceed *in forma pauperis* is GRANTED; it

is

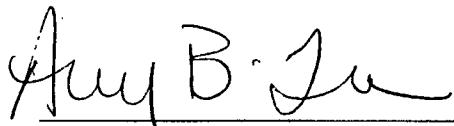
FURTHER ORDERED that the complaint and this civil action are DISMISSED; and it is

FURTHER ORDERED that this matter shall be referred to the Committee on Grievances  
to take whatever action it deems appropriate.

This is a final appealable Order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

DATE: 8/14/17

  
\_\_\_\_\_  
United States District Judge

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