

CLD-245

June 21, 2018

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUITC.A. No. **18-1732**

UNITED STATES OF AMERICA

VS.

DANYEL T. PROCTOR, a/k/a Proc, Appellant

(M.D. Pa. Crim. No. 1-11-cr-00076-004)

Present: CHAGARES, GREENAWAY, JR. and FUENTES, Circuit Judges

Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1),

in the above-captioned case.

Respectfully,

Clerk

ORDER

Appellant's request for a certificate of appealability is denied because jurists of reason would not debate the District Court's denial of his motion under 28 U.S.C. § 2255. See 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 336 (2003). Our decisions in United States v. Wilson, 880 F.3d 80 (3d Cir. 2018), cert. denied, No. 17-8601 (U.S. May 29, 2018), and United States v. Robinson, 844 F.3d 137 (3d Cir. 2016), cert. denied, 138 S. Ct. 215 (2017), independently establish that appellant's convictions of bank robbery in violation of 18 U.S.C. § 2113(a) constitute "crimes of violence" under the force or elements clause of 18 U.S.C. § 924(c)(3)(A). Jurists of reason would not debate that point.

By the Court,

s/ Joseph A. Greenaway, Jr.
Circuit Judge



A True Copy:

Patricia S. Dodszuweit, Clerk
Certified Order Issued in Lieu of Mandate

Dated: June 27, 2018

CLW/cc: Daryl F. Bloom, Esq.

Quin M. Sorenson, Esq.