

N.D.N.Y.  
16-cv-1547  
09-cr-125  
McAvoy, J.

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 19<sup>th</sup> day of December, two thousand eighteen.

Present:

Debra Ann Livingston,  
Denny Chin,  
Christopher F. Droney,  
*Circuit Judges.*

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Marcel Malachowski,

*Petitioner-Appellant,*

v.

18-2316

United States of America,

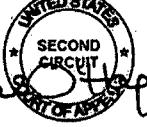
*Respondent-Appellee.*

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Appellant, pro se, moves for a certificate of appealability (“COA”), appointment of counsel, to extend time to file briefs, and to suspend further filings of COA motions. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because Appellant has not “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

*Catherine O'Hagan Wolfe*  


UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

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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 15<sup>th</sup> day of April, two thousand nineteen.

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Marcel Malachowski,

Petitioner - Appellant,

v.

**ORDER**

Docket No: 18-2316

United States of America,

Respondent - Appellee.

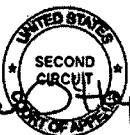
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Appellant, Marcel Malachowski, filed a motion for panel reconsideration, or, in the alternative, for reconsideration *en banc*. The panel that determined the appeal has considered the request for reconsideration, and the active members of the Court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

IT IS HEREBY ORDERED that the motion is denied.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

  
Catherine O'Hagan Wolfe