

APPENDIX A

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 19 2018

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

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

THANH CONG PHAN,

Defendant,

v.

STAN J. CATERBONE,

Movant - Appellant.

No. 18-30181

D.C. No. 2:18-cr-00086-JCC-1
U.S. District Court for Western
Washington, Seattle

ORDER

A review of the docket demonstrates that appellant has failed to respond to the October 12, 2018 order of this court.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to prosecute.

This order served on the district court shall, 21 days after the date of the order, act as the mandate of this court.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Cyntharee K. Powells
Deputy Clerk
Ninth Circuit Rule 27-7

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DEC 27 2018

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STAN J. CATERBONE,

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No. 18-30181

D.C. No.

2:18-cr-00086-JCC-1

Western District of Washington,
Seattle

ORDER

Before: LEAVY, BYBEE, and HURWITZ, Circuit Judges.

Appellant's motion to reconsider the November 19, 2018 Clerk order and response to the October 12, 2018 order to show cause are construed together as a motion to reinstate this appeal. So construed, the motion to reinstate the appeal (Docket Entry Nos. 7, 8) is denied.

All other pending motions are denied as moot.

This case remains closed.

No further filings will be entertained.

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

THANH CONG PHAN,

Defendant.

CASE NO. CR18-0086-JCC

MINUTE ORDER DENYING
MOTION FOR
RECONSIDERATION

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Stanley J. Caterbone's motion for reconsideration (Dkt. No. 34). Mr. Caterbone moves the Court to reconsider its previous order denying him leave to file an amicus curia brief. (Dkt. No. 33.) "Motions for reconsideration are disfavored." W.D. Wash. Local Civ. R. 7(h)(1). "The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence." *Id.* Mr. Caterbone has not met this standard. His motion for reconsideration (Dkt. No. 34) is DENIED. The Clerk is DIRECTED to send a copy of this order to proposed amici at 1250 Fremont St., Lancaster, PA 17603.

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1 DATED this 6th day of August 2018.

2 William M. McCool
3 Clerk of Court

4 /s/Tomas Hernandez
5 Deputy Clerk
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**Additional material
from this filing is
available in the
Clerk's Office.**