

FILED: November 18, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-6739
(7:09-cr-00109-D-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

JOSEPH MICHAEL GUARASCIO

Defendant - Appellant

O R D E R

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge Niemeyer, Judge Keenan, and Senior Judge Hamilton.

For the Court

/s/ Patricia S. Connor, Clerk

UNPUBLISHED**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 19-6739

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH MICHAEL GUARASCIO,Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Wilmington. James C. Dever III, District Judge. (7:09-cr-00109-D-1)

Submitted: September 26, 2019

Decided: October 1, 2019

Before NIEMEYER and KEENAN, Circuit Judges, and HAMILTON, Senior Circuit
Judge.

Affirmed by unpublished per curiam opinion.

Joseph Michael Guarascio, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Michael Guarascio appeals the district court's orders denying Guarascio's motion for the return of property seized during his federal prosecution and denying Guarascio's motions for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *United States v. Guarascio*, No. 7:09-cr-00109-D-1 (E.D.N.C. Dec. 6, 2018, Feb. 1, 2019, filed May 7, 2019 & entered May 8, 2019). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:09-CR-109-D

UNITED STATES OF AMERICA)
v.) ORDER
JOSEPH MICHAEL GUARASCIO,)
Defendant.)

On March 25, 2019, Joseph Michal Guarascio filed a motion for reconsideration [D.E. 88].

The motion lacks merit and is DENIED.

SO ORDERED. This 7 day of May 2019.

J. Dever
JAMES C. DEVER III
United States District Judge

Appx. B (3)

2/1/19

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:09-CR-109-D

UNITED STATES OF AMERICA,)
)
)
v.)
)
JOSEPH MICHAEL GUARASCIO,)
)
)
Defendant.)

ORDER

On December 18, 2018, Joseph Michael Guarascio moved to vacate this court's order of December 6, 2018. See [D.E. 80]; see also [D.E. 81]; cf. [D.E. 78]. The motion [D.E. 80] lacks merit and is DENIED.

SO ORDERED. This 1 day of February 2019.

J. Dever
JAMES C. DEVER III
United States District Judge

Appx. B (2)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:09-CR-109-D

UNITED STATES OF AMERICA,
)
)
v.
)
JOSEPH MICHAEL GUARASCIO,
)
Defendant.
)

ORDER

On August 15, 2018, Joseph Michael Guarascio (“Guarascio” or “defendant”) filed a pro se motion for return of property. See [D.E. 72]. On November 9, 2018, the government responded and notified the court that the property had been destroyed in 2010. See [D.E. 75].

There is no property to return. See id. The motion is untimely and meritless. The motion [D.E. 72] is DENIED.

SO ORDERED. This 16 day of December 2018.

Dover
JAMES C. DEVER III
United States District Judge

Appx. B (1)