

BLD-206

June 6, 2019

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **19-1255**

LARRY BELL, Appellant

VS.

SUPERINTENDENT DALLAS SCI, ET AL.

(E.D. Pa. Civ. No. 2-99-cv-01985)

Present: AMBRO, KRAUSE and PORTER, 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 application for a certificate of appealability is denied. See 28 U.S.C. § 2253(c); Morris v. Horn, 187 F.3d 333, 340-41 (3d Cir. 1999) (requiring a certificate of appealability to appeal a district court's denial of a motion under Fed. R. Civ. P. 60(b)). Reasonable jurists would not debate the District Court's ruling that Appellant was not entitled to relief on the basis of his April 2018 motion filed pursuant to Federal Rule Civil Procedure 60(b). See Slack v. McDaniel, 529 U.S. 473, 484 (2000); Morris, 187 F.3d at 341.

By the Court,

s/David J. Porter
Circuit Judge

Dated: June 7, 2019
Lmr/cc: Larry L. Bell
Max C. Kaufman



A True Copy:

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

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 19-1255

LARRY BELL,
Appellant

v.

SUPERINTENDENT DALLAS SCI;
COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

(E.D. Pa. No. 2-99-cv-01985)

SUR PETITION FOR REHEARING

Present: SMITH, Chief Judge, McKEE, AMBRO, CHAGARES, JORDAN,
HARDIMAN, GREENAWAY, JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS,
PORTER and MATEY, Circuit Judges

The petition for rehearing filed by appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who

concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ David J. Porter
Circuit Judge

Date: July 24, 2019
Lmr/cc: Larry L. Bell
Max C. Kaufman
Marilyn F. Murray