

E.D.N.Y.-C. Islip
18-cv-3800
Bianco, 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 30th day of March, two thousand twenty.

Present:

Dennis Jacobs,
Rosemary S. Pooler,
Susan L. Carney,
Circuit Judges.

Steven McManus,

Petitioner-Appellant,

v.

19-2884

Superintendent Mary Vann,

Respondent-Appellee.

Appellant, pro se, moves for a certificate of appealability. Upon due consideration, it is hereby ORDERED that the motion is 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


"Appendix A"

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

STEVEN McMANUS,

Petitioner,

- against -

JUDGMENT
CV 18-3800 (JFB)

SUPERINTENDENT MARY VANN,

Respondent.

X

A Memorandum and Order of Honorable Joseph F. Bianco, United States Circuit Judge (siting by designation), having been filed on August 9, 2019; finding that the petitioner has demonstrated no basis for habeas relief under 28 U.S.C. § 2254; denying the petition for a writ of habeas corpus in its entirety; declining to issue a certificate of appealability because petitioner has failed to make a substantial showing of a denial of a constitutional right; denying *in forma pauperis* status for the purpose of any appeal; and directing the Clerk of the Court to enter judgment accordingly and close this case, it is

ORDERED AND ADJUDGED that petitioner Steven McManus take nothing of respondent Superintendent Mary Vann; that the petitioner has not demonstrated a basis for habeas relief under 28 U.S.C. § 2254; that the petition for a writ of habeas corpus is denied in its entirety; that a certificate of appealability shall not issue; that *in forma pauperis* status for the purpose of any appeal is denied; and that this case is closed.

Dated: August 23, 2019
Central Islip, New York

DOUGLAS C. PALMER
CLERK OF THE COURT
By: /s / James J. Toritto
Deputy Clerk

"Appendix B"

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 22nd day of June, two thousand twenty.

Steven McManus,

Petitioner - Appellant,

v.

ORDER

Superintendent Mary Vann,

Docket No: 19-2884

Respondent - Appellee.

Appellant, Steven McManus, 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


"Appendix C"