

IN THE  
SUPREME COURT OF THE UNITED STATES  
NO. \_\_\_\_

EMEM UFOT UDOH,

*Petitioner,*  
vs.

BECKY DOOLEY, *Warden, Moose Lake,*

*Respondent.*

ON PETITION FOR WRIT FOR CERTIORARI  
TO REVIEW THE USCA8 CASE NO. 20-3473 IN  
THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT (0:16-CV-4174 (PAM/HB))

APPENDIX

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UNITED STATES COURTS OF APPEALS  
FOR THE EIGHTH CIRCUIT

No: 20-3473

Emem Ufot Udoeh

Petitioner - Appellant

v.

Becky Dooley, Warden, Moose Lake

Respondent - Appellee

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Appeal from U.S. District Court for the District of Minnesota  
(0:16-cv-04174-PAM)

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**ORDER**

Appellant's motion to file an untimely petition for rehearing is denied. The petition for rehearing en banc is denied as untimely. The petition for rehearing by the panel is also denied as untimely.

Judge Stras did not participate in the consideration or decision of this matter.

February 1, 2021

Order Entered At the Direction of the Court  
Clerk, U.S. Court of Appeals, Eighth Circuit

**UNITED STATES COURTS OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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**CORRECTED ORDER**

The motion for leave to file an untimely petition for rehearing is denied. The petition for rehearing is denied as untimely filed.

February 3, 2021

Order Entered At the Direction of the Court  
Clerk, U.S. Court of Appeals, Eighth Circuit

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Emem Ufot Udoth,

Petitioner,

v.

Case No. 16cv4174 (PAM/HB)

Becky Dooley, Warden,

Respondent.

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This matter is before the Court on Petitioner Emem Ufot Udoth's Emergency Motion for Release. Udoth contends that the Court should release him pending his two federal appeals because of the presence of COVID-19 in his state prison facility.

Udoth offers no legal authority allowing a federal court to order the compassionate release of a state prisoner, and the Court has found none. Moreover, there is no pending appeal in this matter. The Eighth Circuit denied Udoth's appeal on September 28, 2020. (Docket No. 82.) Udoth's only pending appeal is in an immigration matter over which this Court has no jurisdiction.

Accordingly, **IT IS HEREBY ORDERED** that Petitioner's Emergency Motion for Release Pending Appeal (Docket No. 87) is **DENIED**.

Dated: October 29, 2020

*s/Paul A. Magnuson*

Paul A. Magnuson  
United States District Court Judge