

FILED: June 23, 2021

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6573
(3:17-cr-00267-MOC-DCK-1)

UNITED STATES OF AMERICA

Plaintiff - Appellee

v.

SALATHEO FLUID

Defendant - Appellant

O R D E R

The court dismisses this proceeding for failure to prosecute pursuant to
Local Rule 45.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**
1100 East Main Street, Suite 501, Richmond, Virginia 23219

May 21, 2021

RULE 45 NOTICE

No. 21-6573, US v. Salatheo Fluid
3:17-cr-00267-MOC-DCK-1

TO: Salatheo Fluid

DEFAULT MUST BE REMEDIED BY: 06/07/2021

Please take notice that the court will dismiss this case for failure to prosecute pursuant to Local Rule 45 unless the default identified below are remedied within 15 days of the date of this notice through receipt of the requisite form(s) or fee in the appropriate clerk's office. Forms are available for completion as links from this notice and at the court's web site, www.ca4.uscourts.gov.

Informal opening brief must be received in the Court of Appeals clerk's office.

Anisha Walker, Deputy Clerk
804-916-2704

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cr-267-MOC-DCK-1

UNITED STATES OF AMERICA

Vs.

SALATHEO H. FLUID,

Defendant.

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ORDER

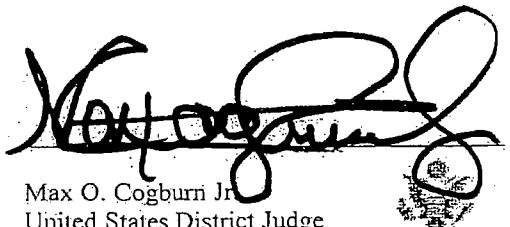
THIS MATTER is before the Court on defendant's pro se Motion to Strike his appellate counsel's withdrawal of two pro se motions filed by defendant in this action. (#85).

Defendant's motion strike is denied. Defendant is currently represented by court-appointed counsel in this matter on appeal. As long as Defendant is represented by counsel, this Court will not entertain any pro se motions filed by him. See L.Cr.R. 47.1(g). Thus, even if defendant's appellate counsel had not withdrawn the two motions filed pro se by defendant, this Court would not have entertained the motions. Having thus considered defendant's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's *pro se* Motion to Strike, (#85), is **DENIED**.

Signed: April 2, 2021



Max O. Cogburn Jr.
United States District Judge

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:17-cr-00267-MOC-DCK-1

UNITED STATES OF AMERICA,

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v.

ORDER

SALATHEO H. FLUID,

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Defendant.

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THIS MATTER is before the court on defendant Fluid's pro se letter (Doc. No. 83).

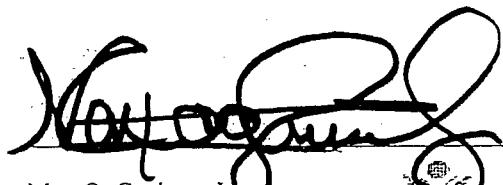
The letter alleges that the government has failed to respond to his Motion for a New Trial under FED. R. CRIM. PROC. 33(b). However, Defendant's Motion for a New Trial was withdrawn on November 29, 2020. (See Doc. No. 79). Because the motion was withdrawn, there is no Motion for a New Trial to which the government must respond.

Having considered the letter and its allegations, the court brings the letter and the defendant's concerns to the attention of the Defendant's counsel.

ORDER

IT IS, THEREFORE, ORDERED that, upon review of this pro se letter, Defendant's request is **DENIED** as **MOOT**.

Signed: January 25, 2021



Max O. Cogburn Jr.
United States District Judge