

E.D.N.Y. – C. Islip
14-cv-5999
Feuerstein. 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 2nd day of May, two thousand twenty-two.

Present:

Debra Ann Livingston,
Chief Judge,
José A. Cabranes,
Raymond J. Lohier, Jr.,
Circuit Judges.

In re Cheryl A. Wolf,

Cheryl A. Wolf, United States, Ex Rel,
Raymond J. Fallica, United States, Ex Rel,

Petitioners,

v.

21-2929

Federal Bureau of Investigation,

Respondent.

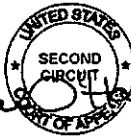
Petitioners, pro se, have filed a petition for a writ of mandamus, and move for leave to proceed in forma pauperis (“IFP”), to compel the removal of an Assistant United States Attorney, and to “suspend the rules” pursuant to Federal Rule of Appellate Procedure 2. Upon due consideration, it is hereby ORDERED that the motion for IFP status is GRANTED for the purpose of filing the mandamus petition. It is further ORDERED that the mandamus petition and the remaining motions are DENIED because Petitioners have not demonstrated that exceptional circumstances warrant the requested relief. *See Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380–81 (2004).

Petitioners were previously warned that the continued filing of frivolous matters in this Court could result in the imposition of a sanction. 2d Cir. 14-4260, doc. 37.

Since that warning, Petitioners have filed another frivolous appeal, 2d Cir. 18-796, doc. 56, and this mandamus petition. Petitioners are, again, warned that the continued filing of duplicative, vexatious, or clearly meritless appeals, motions, petitions, or other papers may result in the imposition of sanctions, which may include a fine or a leave-to-file sanction requiring Petitioners to obtain permission from the Court prior to filing any further submissions in this Court. *See In re Martin-Trigona*, 9 F.3d 226, 229 (2d Cir. 1993).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

 Catherine O'Hagan Wolfe

**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 3rd day of August, two thousand twenty-two.

In Re: Cheryl A. Wolf

Cheryl A. Wolf, United States, Ex Rel, Raymond J.
Fallica, United States, Ex Rel,

Petitioners,

ORDER

Docket No: 21-2929

v.

Federal Bureau of Investigation,

Respondent.

Petitioners, Cheryl A. Wolf and Raymond J. Fallica, 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

A circular seal of the United States Court of Appeals for the Second Circuit is stamped over the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS".