

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

August 22, 2022

Before:

Michael B. Brennan, *Circuit Judge*

Thomas L. Kirsch II, *Circuit Judge*

Candace Jackson-Akiwumi, *Circuit Judge*

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

No. 22-2116 v.

JOSEPH P. COUNTS,
Defendant-Appellant.

] Appeal from the United
] States District Court for
] the Southern District of
] Illinois.

] No. 3:21-cr-30068-SPM-1

] Stephen P. McGlynn,
] Judge.

ORDER

On consideration of the papers filed in this appeal and review of the short record,

IT IS ORDERED that this appeal is DISMISSED for lack of jurisdiction.

Defendant-appellant Joseph P. Counts filed a *pro se* motion on May 19, 2022, to revoke his detention—a detention that appears to have been ordered a year earlier on May 17, 2021. The district court struck the motion without addressing the merits because defendant-appellant Counts is represented by retained counsel, attorney Jeffrey A. Goldfarb. A *pro se* motion to reconsider was stricken for the same reason. The district court did not address the merits of the motion, and therefore there is nothing to review. The orders, in essence, are nothing more than routine case management orders that are

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not immediately appealable. *See Jangia v. Questar Capital Corp.*, 615 F.3d 735, 740 (7th Cir. 2010).

As a post-script, the district court docket reveals that defendant-appellant Joseph P. Counts's counsel recently filed a motion with the district court seeking a new detention hearing, and that motion remains pending.

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

September 13, 2022

Before

MICHAEL B. BRENNAN, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 22-2116

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

JOSEPH P. COUNTS,
Defendant-Appellant.

Appeal from the United States District
Court for the Southern District of Illinois.

No. 3:21-cr-30068

Stephen P. McGlynn,
Judge.

ORDER

Upon consideration of Defendant-Appellant's motion for reconsideration filed on September 7, 2022, and construed as a petition for panel rehearing, all members of the original panel have voted to deny the petition.

Accordingly, the petition for rehearing is hereby **DENIED**.