

A

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

OCT 25 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

ARCHIE CABELLO, AKA Archibaldo  
Cabello, AKA Archie Cabello, Jr., AKA  
Archie P. Cabello, AKA Arquimedes  
Cabello, AKA Archie Palumbo,

Defendant-Appellant.

No. 23-35081

D.C. No. 3:10-cr-00482-MO-1  
District of Oregon,  
Portland

ORDER

Before: COLLINS and LEE, Circuit Judges.

This appeal is from the denial of appellant's Federal Rule of Civil Procedure 60(b) motion. The request for a certificate of appealability (Docket Entry Nos. 2 and 6) is denied because appellant has not shown that "jurists of reason would find it debatable whether the district court abused its discretion in denying the Rule 60(b) motion[.]" *United States v. Winkles*, 795 F.3d 1134, 1143 (9th Cir. 2015); *see also* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Any pending motions are denied as moot.

**DENIED.**

**U.S. District Court**

**District of Oregon**

**Notice of Electronic Filing**

The following transaction was entered on 1/18/2023 at 2:36 PM PST and filed on 1/18/2023

**Case Name:** USA v. Cabello et al

**Case Number:** 3:10-cr-00482-MO

**Filer:**

**Document Number:** 345(No document attached)

**Docket Text:**

**ORDER** Motion for Reconsideration titled "Petition for 60(b)(4) Motion" [344] is DENIED.  
Ordered by Judge Michael W. Mosman. (kms)

**U.S. District Court**

**District of Oregon**

**Notice of Electronic Filing**

The following transaction was entered on 3/9/2023 at 3:44 PM PST and filed on 3/9/2023 .

**Case Name:** USA v. Cabello et al

**Case Number:** 3:10-cr-00482-MO

**Filer:**

**Document Number:** 348(No document attached)

**Docket Text:**

**ORDER** Granting [347] Motion for Leave to Appeal In Forma Pauperis as to Archie Cabello (1). Ordered by Judge Michael W. Mosman. (kms)