

United States Court of Appeals For the First Circuit

No. 21-1169

FURVIO FLETE-GARCIA,

Petitioner - Appellant,

v.

UNITED STATES,

Respondent - Appellee.

Before

Kayatta, Lynch and Montecalvo,
Circuit Judges.

ORDER OF COURT

Entered: October 30, 2023

This court entered judgment denying a certificate of appealability on May 23, 2023. Defendant's subsequent filings were construed as a petition for panel rehearing and denied on August 30, 2023. Mandate entered on September 7, 2023. The court has since received defendant's "Notification to Chief Judge David J. Barron" which we construe as a motion to recall mandate and, as such, deny. See Calderon v. Thompson, 523 U.S. 538, 550 (1998) ("[t]he sparing use of the power [to recall mandate] demonstrates it is one of last resort, to be held in reserve against grave, unforeseen circumstances"). The Clerk is directed to accept no further filings in this case.

By the Court:

Maria R. Hamilton, Clerk

cc:

Mark William Shea
Furvio Flete-Garcia
Donald Campbell Lockhart
Elissa R. Hart-Mahan
Sean M. Green

General Docket
United States Court of Appeals for the First Circuit

Court of Appeals Docket #: 21-1169

Docketed: 03/03/2021

Nature of Suit: 2510 Motions to Vacate Sentence

Termed: 05/23/2023

Flete-Garcia v. US

Appeal From: District of Massachusetts, Boston

Fee Status: in forma pauperis

Case Type Information:

- 1) civil
- 2) US a party civil case
- 3) motion to vacate

Originating Court Information:

District: 0101-1 : 1:20-cv-11858-LTS

Lead: 1:15-cr-10381-LTS-1

Ordering Judge: Leo T. Sorokin, U.S. District
Judge

Date Filed: 10/14/2020

Order/Judgment:	Date EOD:	Date Order/Judgment	Date NOA	Date Rec'd
12/30/2020	12/30/2020	Filed:	02/28/2021	COA: 03/01/2021

Prior Cases:

<u>16-1399</u>	Date Filed: 04/19/2016	Date Disposed: 06/27/2017	Disposition: Affirmed
<u>18-1067</u>	Date Filed: 01/31/2018	Date Disposed: 05/23/2019	Disposition: Affirmed
<u>18-1116</u>	Date Filed: 02/07/2018	Date Disposed: 05/23/2019	Disposition: Affirmed
<u>18-1712</u>	Date Filed: 07/26/2018	Date Disposed: 08/07/2018	Disposition: Denied
<u>19-1669</u>	Date Filed: 07/01/2019	Date Disposed: 01/15/2020	Disposition: Defaulted
<u>19-1769</u>	Date Filed: 08/01/2019	Date Disposed: 08/26/2019	Disposition: Denied
<u>20-1053</u>	Date Filed: 01/06/2020	Date Disposed: 04/01/2020	Disposition: Denied

Panel Assignment: Not available

FURVIO FLETE-GARCIA, a/k/a Fubio, a/k/a Israel
Pagan Torres, a/k/a Fulvio Flete-Garcia (Federal
Prisoner: 24190-038)
Petitioner - Appellant

Mark William Shea
Direct: 617-577-8722
Fax: 617-577-7897
[COR LD NTC CJA Appointment]
Shea & LaRocque
929 Massachusetts Ave
Ste 200
Cambridge, MA 02139

Furvio Flete-Garcia
[NTC Prisoner (not prose)]
FCI Danbury
Route 37
Danbury, CT 06811-0000

v.

UNITED STATES
Respondent - Appellee

Sean M. Green
Direct: 202-307-2554
[NTC Federal Government]
US Dept of Justice
Tax Div
Ste 7125
601 D St, NW
Washington, DC 20530

Elissa R. Hart-Mahan
Direct: 202-305-7397
Fax: 202-305-8687
[COR NTC Federal Government]
US Dept of Justice
Tax Division
PO Box 972
Washington, DC 20044-0000

Donald Campbell Lockhart
[NTC Federal Government]
US Attorney's Office
1 Courthouse Way
Ste 9200
Boston, MA 02210

FURVIO FLETE-GARCIA

Petitioner - Appellant

v.

UNITED STATES

Respondent - Appellee

03/03/2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>	58 pg, 613.86 KB	CIVIL CASE docketed. Notice of appeal (doc. #327) filed by Appellant Fulvio Flete-Garcia. Docketing Statement due 03/17/2021. Appearance form due 03/17/2021. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (CMP) [Entered: 03/03/2021 11:23 AM]
03/04/2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 pg, 95.73 KB	NOTICE of appearance on behalf of Appellee US filed by Attorney Elissa Hart-Mahan. Certificate of service dated 03/04/2021. [21-1169] (ERH) [Entered: 03/04/2021 08:56 AM]

03/04/2021 ORDER directing petitioner to file a request for a certificate of appealability in this court by 04/05/2021. Date of denial by district court: December 30, 2020. [21-1169] (CMP) [Entered: 03/04/2021 11:40 AM]
1 pg, 64.59 KB

03/10/2021 NOTICE of appearance on behalf of Appellant Fulvio Flete-Garcia filed by Attorney Mark W. Shea. Certificate of service dated 03/10/2021. [21-1169] (MWS) [Entered: 03/10/2021 11:36 AM]
2 pg, 160.67 KB

03/17/2021 TRANSCRIPT report/order form filed by Appellant Fulvio Flete-Garcia indicating all necessary transcripts have already been filed in district court. Certificate of service dated 03/17/2021. [21-1169] (MWS) [Entered: 03/17/2021 02:37 PM]
3 pg, 206.22 KB

03/17/2021 DOCKETING statement filed by Appellant Fulvio Flete-Garcia. Certificate of service dated 03/17/2021. [21-1169] (MWS) [Entered: 03/17/2021 06:00 PM]
4 pg, 699.42 KB

04/05/2021 MOTION for certificate of appealability filed by Appellant Fulvio Flete-Garcia. Certificate of service dated 04/05/2021. [21-1169] (MWS) [Entered: 04/05/2021 11:12 PM]
2 pg, 53.38 KB

04/05/2021 MEMORANDUM in support of motion for certificate of appealability [6413754-2] filed by Appellant Fulvio Flete-Garcia. Certificate of service dated 04/05/2021. [21-1169] (MWS) [Entered: 04/05/2021 11:13 PM]
10 pg, 145.51 KB

04/07/2021 ORDER advising petitioner the request for a certificate of appealability will be submitted to this court for a decision. Date of denial by district court: December 30, 2020. [21-1169] (GAK) [Entered: 04/07/2021 11:10 AM]
1 pg, 62.79 KB

04/20/2021 Mail returned as undeliverable to Appellant Fulvio Flete-Garcia. Copy of Order issued April 7, 2021. [21-1169] (ATC) [Entered: 04/21/2021 01:23 PM]
1 pg, 133.92 KB

12/08/2021 LETTER filed pro se by Appellant Fulvio Flete-Garcia requesting copies of legal documents. Certificate of service was not included. [21-1169] (CMP) [Entered: 12/08/2021 04:37 PM]
4 pg, 1.09 MB

12/23/2021 LETTER sent to pro se Appellant Fulvio Flete-Garcia in response to his recent letter dated November 28, 2021. [21-1169] (CMP) [Entered: 12/23/2021 11:31 AM]
1 pg, 10.75 KB

01/18/2022 REQUEST for change of lawyer filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 01/18/2022 12:38 PM]
27 pg, 11.09 MB

01/24/2022 SUPPLEMENT to motion to change lawyer with exhibits filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 02/04/2022 11:56 AM]
20 pg, 1.94 MB

01/24/2022 EXHIBIT (filed under seal). Exhibit B (presentence Report). [21-1169] (CMP) [Entered: 02/04/2022 12:02 PM]

05/09/2022 COURT NOTIFICATION and request for docket sheet filed pro se by Appellant Fulvio Flete-Garcia. [21-1169] (CMP) [Entered: 05/09/2022 04:15 PM]
28 pg, 8.45 MB

05/17/2022 DOCKET sheet sent to appellant. [21-1169] (CMP) [Entered: 05/17/2022 10:14 AM]
6 pg, 107.93 KB

05/17/2022 LETTER sent to pro se Appellant Fulvio Flete-Garcia in response to his recent letter dated 5/2/22. [21-1169] (CMP) [Entered: 05/17/2022 10:35 AM]
6 pg, 107.93 KB

05/25/2022  LETTER/Motion requesting copy of transcripts filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (CMP) [Entered: 05/26/2022 12:36 PM]
4 pg, 949.36 KB

05/25/2022  LETTER/Motion requesting copies of the discovery filed pro se by Appellant Fulvio Flete-Garcia . Certificate of service was not included. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (CMP) [Entered: 05/26/2022 12:39 PM]
4 pg, 943.73 KB

05/25/2022  LETTER/Motion requesting copies of the Criminal Complaint filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (CMP) [Entered: 05/26/2022 12:42 PM]
4 pg, 944.66 KB

05/25/2022  LETTER/Motion requesting Grand Jury Documents filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169]. (CMP) [Entered: 05/26/2022 12:45 PM]
5 pg, 1.12 MB

05/27/2022  NOTICE to the Court filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 05/31/2022 09:37 AM]
3 pg, 1.06 MB

05/31/2022  COURT NOTIFICATION filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169]. (CMP) [Entered: 05/31/2022 04:11 PM]
32 pg, 8.53 MB

05/31/2022  LETTER/Motion for Grand Jury's Minutes filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 05/31/2022 04:18 PM]
4 pg, 1.01 MB

05/31/2022  LETTER sent to Appellant Fulvio Flete-Garcia in response to his recent pro se correspondence dated May 24 2022. [21-1169] (CMP) [Entered: 05/31/2022 04:35 PM]
2 pg, 12.71 KB

06/09/2022  PLEADING tendered: Notification with Exhibits filed by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 06/10/2022 05:00 PM]
21 pg, 8.11 MB

06/09/2022 PLEADING tendered: SEALED Exhibit B filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (CMP) [Entered: 06/10/2022 05:02 PM]

06/10/2022  LETTER sent to Appellant Fulvio Flete-Garcia in response to his recent correspondence dated May 21, 2022 and May 30, 2022. [21-1169] (CMP) [Entered: 06/10/2022 04:38 PM]
1 pg, 11.27 KB

06/13/2022  PLEADING tendered: Notification with Exhibit filed by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 06/14/2022 03:09 PM]
42 pg, 13.23 MB

06/13/2022 PLEADING tendered: SEALED Exhibit B filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 06/14/2022 03:14 PM]

07/13/2022  LETTER filed Pro Se by Appellant Fulvio Flete-Garcia, requesting copy of the court's final decision be served on appellant by certitifed mail and copies of various documents from the district court and Court of Appeals dockets. Certificate of service was not included. [21-1169] (GB) [Entered: 07/14/2022 05:04 PM]
3 pg, 653.74 KB

07/22/2022	<input type="checkbox"/>		LETTER sent to Appellant Fulvio Flete-Garcia, acknowledging receipt on July 13, 2022, of a recent correspondence dated July 10, 2022. [21-1169] (GB) [Entered: 07/22/2022 02:43 PM]
1 pg, 11.96 KB			
07/29/2022	<input type="checkbox"/>		LETTER filed Pro Se by Appellant Fulvio Flete-Garcia, requesting a new counsel be assigned, requesting copy of the court's final decision be served on appellant by certified mail when it is issued and copies of various documents from the district court and Court of Appeals dockets. Certificate of service was not included. [21-1169] (GB) [Entered: 07/29/2022 03:43 PM]
5 pg, 1.22 MB			
08/08/2022	<input type="checkbox"/>		Calendar request filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 08/08/2022 01:15 PM]
3 pg, 576.69 KB			
08/12/2022	<input type="checkbox"/>		LETTER sent to Appellant Fulvio Flete-Garcia, acknowledging receipt of a correspondence dated July 26, 2022, received on July 29, 2022. [21-1169] (GB) [Entered: 08/12/2022 09:06 AM]
20 pg, 544.31 KB			
08/12/2022	<input type="checkbox"/>		DOCKET sheet sent to appellant. [21-1169] (GB) [Entered: 08/12/2022 09:12 AM]
08/24/2022	<input type="checkbox"/>		CALENDAR REQUEST filed pro se by Appellant Fulvio Flete-Garcia. Certificate of Service incomplete. [21-1169] (CMP) [Entered: 08/24/2022 02:41 PM]
4 pg, 931.46 KB			
09/01/2022	<input type="checkbox"/>		PLEADING tendered: Supplemental Motion and Memorandum in support of application for Certificate of Appealability filed pro se by Appellant Fulvio Flete-Garcia. Certificate of Service is incomplete. [21-1169] (CMP) [Entered: 09/01/2022 12:14 PM]
71 pg, 3.01 MB			
09/06/2022	<input type="checkbox"/>		LETTER sent to Appellant Fulvio Flete-Garcia in response to his recent filings on August 8 and August 24, 2022. [21-1169] (CMP) [Entered: 09/06/2022 04:13 PM]
1 pg, 10.18 KB			
09/09/2022	<input type="checkbox"/>		SUPPLEMENTAL MOTION and Memorandum in support of application for certificate of appealability [6413754-2] filed by Appellant Fulvio Flete-Garcia. Certificate of service is incomplete. [21-1169] (CMP) [Entered: 09/09/2022 03:49 PM]
59 pg, 2.4 MB			
09/09/2022	<input type="checkbox"/>		SEALED EXHIBIT filed: Exhibit - 7, Presentence Report. [21-1169] (CMP) [Entered: 09/09/2022 03:53 PM]
09/14/2022	<input type="checkbox"/>		COURT NOTIFICATION filed by Appellant Fulvio Flete-Garcia. Certificate of Service incomplete. [21-1169] (CMP) [Entered: 09/14/2022 04:23 PM]
15 pg, 5.88 MB			
01/23/2023	<input type="checkbox"/>		LETTER requesting case status filed pro se by Appellant Fulvio Flete-Garcia. Certificate of service does not show service on parties. [21-1169] (CMP) [Entered: 01/24/2023 10:12 AM]
3 pg, 587.86 KB			
01/25/2023	<input type="checkbox"/>		DOCKET sheet sent to appellant. [21-1169] (CMP) [Entered: 01/25/2023 03:13 PM]
01/25/2023	<input type="checkbox"/>		LETTER sent to Appellant Fulvio Flete-Garcia in response to his recent correspondence dated January 17, 2023. [21-1169] (CMP) [Entered: 01/25/2023 03:17 PM]
7 pg, 271.64 KB			
01/27/2023	<input type="checkbox"/>		COURT NOTIFICATION with exhibits filed by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 01/27/2023 03:09 PM]
72 pg, 22.63 MB			

02/06/2023  NOTICE/Letter concerning the docket and request for updated docket sheet filed pro se by Appellant Fulvio Flete-Garcia. Served on 02/01/2023. [21-1169] (CMP) [Entered: 02/06/2023 03:46 PM]
24 pg, 9.84 MB

03/01/2023 DOCKET sheet sent to appellant. [21-1169] (CMP) [Entered: 03/01/2023 01:02 PM]

03/01/2023  LETTER sent to Appellant Fulvio Flete-Garcia in response to his recent correspondence received on February 6, 2023. [21-1169] (CMP) [Entered: 03/01/2023 01:05 PM]
8 pg, 304.95 KB

03/13/2023  MOTION to amend case caption and request for docket sheet filed by Appellant Fulvio Flete-Garcia. Certificate of service was not included. [21-1169] (CMP) [Entered: 03/13/2023 04:57 PM]
9 pg, 3.56 MB

03/24/2023 CASE submitted. Panel: Sandra L. Lynch, Appellate Judge; William J. Kayatta, Jr., Appellate Judge; Lara E. Montecalvo, Appellate Judge. [21-1169] (KPC) [Entered: 05/26/2023 11:07 AM]

04/05/2023  MOTION to correct name filed pro se by Appellant Fulvio Flete-Garcia. [21-1169] (GRC) [Entered: 04/06/2023 11:47 AM]
9 pg, 2.65 MB

04/07/2023  MOTION for calendar filed pro se by Appellant Fulvio Flete-Garcia. [21-1169] (GRC) [Entered: 04/07/2023 04:54 PM]
7 pg, 2.48 MB

04/10/2023  NOTICE filed pro se by Appellant Fulvio Flete-Garcia. [21-1169] (GRC) [Entered: 04/11/2023 04:09 PM]
13 pg, 4.94 MB

04/14/2023  LETTER sent to Appellant Fulvio Flete-Garcia regarding status of appeal. [21-1169] (GRC) [Entered: 04/14/2023 11:53 AM]
9 pg, 351.29 KB

04/14/2023 DOCKET sheet sent to appellant. [21-1169] (GRC) [Entered: 04/14/2023 11:56 AM]

04/21/2023  LETTER sent to Appellant Furvio Flete-Garcia regarding name. [21-1169] (GRC) [Entered: 04/21/2023 09:43 AM]
8 pg, 354.56 KB

04/21/2023 DOCKET sheet sent to appellant. [21-1169] (GRC) [Entered: 04/21/2023 09:44 AM]

04/24/2023  LETTER filed by Appellant Furvio Flete-Garcia regarding counsel. Served on 04/24/2023. [21-1169] (GRC) [Entered: 04/24/2023 04:58 PM]
8 pg, 2.75 MB

05/10/2023  Motion for docket sheet filed by Appellant Furvio Flete-Garcia. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (GRC) [Entered: 05/10/2023 02:37 PM]
13 pg, 3.91 MB

05/15/2023  NOTICE to the court with exhibits filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 05/15/2023 04:59 PM]
125 pg, 5.55 MB

05/17/2023  LETTER filed by Appellant Furvio Flete-Garcia requesting copies from the court. [21-1169] (GRC) [Entered: 05/17/2023 02:01 PM]
2 pg, 484.98 KB

05/23/2023  JUDGMENT entered by William J. Kayatta, Jr., Appellate Judge; Sandra L. Lynch, Appellate Judge and Lara E. Montecalvo, Appellate Judge. Denied. [21-1169]

2 pg, 72.31 KB (GRC) [Entered: 05/23/2023 03:50 PM]

05/30/2023 9 pg, 382.21 KB LETTER sent to Appellant Furvio Flete-Garcia regarding docket and copies. [21-1169] (GRC) [Entered: 05/30/2023 03:41 PM]

05/30/2023 DOCKET sheet sent to appellant. [21-1169] (GRC) [Entered: 05/30/2023 03:42 PM]

06/07/2023 4 pg, 1.12 MB NOTICE to the Court filed pro se by Appellant Furvio Flete-Garcia. Certificate of service incomplete. [21-1169] (JW) [Entered: 06/09/2023 02:56 PM]

06/12/2023 9 pg, 390.46 KB LETTER sent to Appellant Furvio Flete-Garcia. [21-1169] (GB) [Entered: 06/12/2023 10:58 AM]

06/12/2023 DOCKET sheet sent to appellant. [21-1169] (GB) [Entered: 06/12/2023 11:01 AM]

06/28/2023 101 pg, 7.64 MB PETITION for panel rehearing filed by Appellant Furvio Flete-Garcia. Served on 06/02/2023. [21-1169]. CLERK'S NOTE: Docket entry was edited to modify the docket text. (GRC) [Entered: 06/29/2023 10:31 AM]

06/29/2023 146 pg, 7.54 MB MEMORANDUM in support of petition for panel rehearing [6576907-3] filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 06/30/2023 03:39 PM]

07/10/2023 2 pg, 435.58 KB LETTER requesting status of petition for rehearing filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 07/11/2023 08:51 AM]

07/17/2023 2 pg, 428.8 KB LETTER filed by Appellant Furvio Flete-Garcia requesting case status. [21-1169] (GRC) [Entered: 07/18/2023 09:49 AM]

07/21/2023 9 pg, 411.02 KB LETTER sent to Appellant Furvio Flete-Garcia regarding status. [21-1169] (GRC) [Entered: 07/21/2023 10:38 AM]

07/21/2023 DOCKET sheet sent to appellant. [21-1169] (GRC) [Entered: 07/21/2023 10:38 AM]

08/02/2023 23 pg, 4.11 MB SUPPLEMENT to petition for panel rehearing [6576907-3] filed by Appellant Furvio Flete-Garcia. [21-1169]. CLERK'S NOTE: Docket entry was edited to replace an attachment. (GRC) [Entered: 08/02/2023 09:54 AM]

08/02/2023 SEALED EXHIBIT 1 filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 08/04/2023 02:00 PM]

08/02/2023 EXHIBIT (sealed) filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 08/14/2023 03:15 PM]

08/03/2023 25 pg, 4.56 MB SUPPLEMENT to petition for panel rehearing filed by Appellant Furvio Flete-Garcia. [21-1169]. CLERK'S NOTE: Docket entry was edited to replace an attachment. (GRC) [Entered: 08/04/2023 02:40 PM]

08/03/2023 EXHIBIT B (sealed) filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 08/04/2023 02:44 PM]

08/03/2023 25 pg, 4.54 MB SUPPLEMENT to petition for panel rehearing filed by Appellant Furvio Flete-Garcia. [21-1169]. CLERK'S NOTE: Docket entry was edited to replace an attachment. (GRC) [Entered: 08/04/2023 02:48 PM]

08/03/2023 EXHIBIT (sealed) filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 08/04/2023 02:49 PM]

08/14/2023 LETTER sent to Appellant Furvio Flete-Garcia requesting a copy of the docket sheet. [21-1169] (GRC) [Entered: 08/14/2023 03:39 PM]
2 pg, 464.72 KB

08/28/2023 LETTER filed by Appellant Furvio Flete-Garcia regarding appeal. [21-1169]
CLERK'S NOTE: Docket entry was modified to replace an attachment. (GRC) [Entered: 08/28/2023 03:43 PM]
25 pg, 8.7 MB

08/30/2023 ORDER entered by William J. Kayatta, Jr., Appellate Judge; Sandra L. Lynch, Appellate Judge and Lara E. Montecalvo, Appellate Judge: We have reviewed the petition for panel rehearing, the memorandum in support, and the supplements thereto. Finding no grounds on which to grant rehearing in this case, see Fed. R. App. P. 35(b)(1), we deny the petition for panel rehearing. The exhibits provisionally sealed by the clerk shall be filed under seal. [21-1169] (GRC) [Entered: 08/30/2023 02:33 PM]
1 pg, 10.11 KB

08/31/2023 LETTER sent to Appellant Furvio Flete-Garcia regarding appeal. [21-1169] (GRC) [Entered: 08/31/2023 04:28 PM]
2 pg, 24.11 KB

09/07/2023 MANDATE issued. [21-1169] (GB) [Entered: 09/07/2023 04:50 AM]
1 pg, 9.4 KB

09/18/2023 LETTER filed by Appellant Furvio Flete-Garcia regarding appeal. [21-1169] (GRC) [Entered: 09/22/2023 05:02 PM]
106 pg, 6.38 MB

10/05/2023 LETTER sent to Appellant Furvio Flete-Garcia regarding appeal. [21-1169] (GRC) [Entered: 10/05/2023 02:50 PM]
2 pg, 24.36 KB

10/23/2023 NOTIFICATION to Chief Judge David J. Barron filed pro se by Appellant Furvio Flete-Garcia. Certificate of service was not included. [21-1169] (JMK) [Entered: 10/24/2023 02:45 PM]
8 pg, 551.98 KB

10/30/2023 ORDER entered by William J. Kayatta, Jr., Appellate Judge; Sandra L. Lynch, Appellate Judge and Lara E. Montecalvo, Appellate Judge: This court entered judgment denying a certificate of appealability on May 23, 2023. Defendant's subsequent filings were construed as a petition for panel rehearing and denied on August 30, 2023. Mandate entered on September 7, 2023. The court has since received defendant's "Notification to Chief Judge David J. Barron" which we construe as a motion to recall mandate and, as such, deny. See Calderon v. Thompson, 523 U.S. 538, 550 (1998) ("[t]he sparing use of the power [to recall mandate] demonstrates it is one of last resort, to be held in reserve against grave, unforeseen circumstances"). The Clerk is directed to accept no further filings in this case. [21-1169] (GRC) [Entered: 10/30/2023 03:48 PM]
1 pg, 10.48 KB

11/03/2023 PLEADING tendered: filing filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 11/07/2023 03:57 PM]
4 pg, 440.12 KB

11/14/2023 LETTER sent to Appellant Furvio Flete-Garcia regarding appeal. [21-1169] (GRC) [Entered: 11/14/2023 02:12 PM]
11 pg, 501.42 KB

11/14/2023 DOCKET sheet sent to appellant. [21-1169] (GRC) [Entered: 11/15/2023 09:47 AM]

01/17/2024  PLEADING tendered: motion filed by Appellant Furvio Flete-Garcia. [21-1169] (GRC) [Entered: 01/17/2024 12:34 PM]
17 pg, 2.27 MB

01/31/2024  LETTER sent to Appellant Furvio Flete-Garcia. [21-1169] (GB) [Entered: 01/31/2024 09:04 AM]
1 pg, 10.52 KB

02/12/2024  LETTER sent to Appellant Furvio Flete-Garcia requesting copy of docket sheet. [21-1169] (GRC) [Entered: 02/12/2024 05:05 PM]
2 pg, 194 KB

03/04/2024  LETTER filed by Appellant Furvio Flete-Garcia requesting a copy of the docket sheet. [21-1169] (GRC) [Entered: 03/05/2024 12:41 PM]
2 pg, 200.08 KB

[CASE SEARCH](#) [SHORT DKT](#) [CLERK DKT](#) [STAFF DKT](#) [CAMP DKT](#) [PUBLIC DKT](#)
[OPINIONS](#)

OUT GOING LEGAL MAIL LOG

INMATE NAME	REG #	UNIT	OUT GOING DATE & TIME	DESTINATION	STAFF SIGNATURE	INMATE SIGNATURE
Fulvio Flete Garcia	24190-036	J/A	3-4-24 11:31	<u>Clerk of the Court</u> <u>United States Supreme Court</u> <u>1 First Street N.E.</u> <u>Washington DC</u> <u>20543</u>	T. HEN	Fulvio Flete Garcia
Fulvio Flete Garcia	24190-036	J/A	3-4-24 11:31	<u>Clerk of the Court</u> <u>United States Supreme Court</u> <u>1 First Street N.E.</u> <u>Washington DC</u> <u>20543</u>	T. HEN	Fulvio Flete Garcia