

N.D.N.Y.  
18-cv-748  
Sannes, C.J.  
Baxter, M.J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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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 6<sup>th</sup> day of July, two thousand twenty-three.

Present:

Raymond J. Lohier, Jr.,  
Michael H. Park,  
William J. Nardini,  
*Circuit Judges.*

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Wayne Phillip Vance,

*Plaintiff-Appellant,*

v.

22-3095 (L),  
22-3206 (Con)

Glen Engstrom, Officer, Clinton Correctional Facility, et al.,

*Defendants-Appellees,*

The State of New York Department of Corrections and  
Community Supervision, et al.,

*Defendants.*

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Appellant, pro se, moves for leave to proceed in forma pauperis (“IFP”), appointment of counsel, and other relief. Upon due consideration, it is hereby ORDERED that the IFP motion is denied as unnecessary. *See* Fed. R. App. P. 24(a)(3). However, it is further ORDERED that the remaining motions are DENIED and the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see* 28 U.S.C. § 1915(e).

FOR THE COURT:  
Catherine O’Hagan Wolfe, Clerk of Court

  
Catherine O'Hagan Wolfe



**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

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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 27<sup>th</sup> day of July, two thousand twenty-three,

Present: Raymond J. Lohier, Jr.,  
Michael H. Park,  
William J. Nardini,

Circuit Judges,

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Wayne Phillip Vance,

Plaintiff - Appellant,

**ORDER**

Docket No. 22-3095 (L),  
22-3206 (Con)

v.

Glen Engstrom, Officer, Clinton Correctional Facility, Ambrose Waldron, Officer, Clinton Correctional Facility, Chad Rowe, Officer, Clinton Correctional Facility, Travis Baxter, Officer, Clinton Correctional Facility, J. Rief, Officer, Clinton Correctional Facility, S. Barcomb, Officer, Clinton Correctional Facility, J. Russell, Officer, Upstate Correctional Facility, C. Cox, Officer, Upstate Correctional Facility, J. Rufa, Officer, Upstate Correctional Facility,

Defendants - Appellees,

The State of New York Department of Corrections and Community Supervision, Anthony J. Annucci, Commissioner of the Department of Corrections and Community Supervision, Karen Bellamy, Director, Inmate Grievance Program for DOCCS, Donald Venettozzi, Director, Special Housing and Disciplinary Program, DOCCS, A. Rodriguez, Director, Special Housing and Disciplinary Program, DOCCS, Mr. Weishaupt, Special Investigator, DOCCS, Richard Adams, Medical Doctor, Clinton Correctional Facility, Dragos Macelaru, Orthopedic Doctor, Clinton

Correctional Facility, Catherine Calley, Medical Provider, Clinton Correctional Facility, G. Waterson, Registered Nurse, Upstate Correctional Facility, Vijay Kuman Mandalaywala, MD, Upstate Correctional Facility, Michael Kirkpatrick, Superintendent, Clinton Correctional Facility, Donald Uhler, Superintendent, Upstate Correctional Facility, Mrs. M. Liberty, Hearing Officer, Upstate Correctional Facility, Mr. S. Bullis, Hearing Officer, Clinton Correctional Facility, The State of New York Albany County Supreme Court, Gerald W. Connolly, Judge, Albany County Courthouse, The State of New York Appellate Division Fourth Department, Gerald J. Whalen, Judge, Appellate Division 4th Department, Francis E. Cafarell, Chief Clerk, The Appellate Division, Fourth Department, The State of New York Court of Appeals, Rowan D. Wilson, Associate Judge, Court of Appeals,

Defendants.

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Appellant Wayne Phillip Vance filed a motion for reconsideration and the panel that determined the motion has considered the request.

IT IS HEREBY ORDERED, that the motion is denied.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

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

**Additional material  
from this filing is  
available in the  
Clerk's Office.**