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IN THE  
**Supreme Court of the United States**

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MATTHEW SPAETH,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Tenth Circuit

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**ATTACHMENT B**

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**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

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

**August 11, 2023**

**Christopher M. Wolpert**  
**Clerk of Court**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MATTHEW C. SPAETH,

Defendant - Appellant.

No. 21-3096  
(D.C. Nos. 2:19-CV-02491-JAR-JPO,  
2:19-CV-02413-JAR-JPO,  
2:14-CR-20068-DDC-6)  
(D. Kan.)

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**ORDER**

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Before **TYMKOVICH, PHILLIPS, and McHUGH**, Circuit Judges.

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Appellant's petition for rehearing is denied.

The petition for rehearing en banc was transmitted to all of the judges of the court who are in regular active service. As no member of the panel and no judge in regular active service on the court requested that the court be polled, that petition is also denied.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk