

ALD-005

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 23-2221

UNITED STATES OF AMERICA

v.

ROBERT J. RICE, Appellant

(M.D. Pa. Crim. No. 1-14-cr-00119-001)

Present: HARDIMAN, MONTGOMERY-REEVES, and NYGAARD, Circuit Judges

Submitted is Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1)

in the above-captioned case.

Respectfully,

Clerk

ORDER

The application for a certificate of appealability ("COA") is denied because Appellant has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2). Substantially for the reasons given by the District Court, Appellant has not shown that "jurists of reason could disagree with the district court's resolution of [the claims he pursues in his COA application]." Miller-El v. Cockrell, 537 U.S. 322, 327 (2003); see also Strickland v. Washington, 466 U.S. 668, 687-88 (1984).

By the Court,

s/ Thomas M. Hardiman
Circuit Judge

Dated: October 20, 2023
kr/cc: All Counsel of Record



A True Copy:

Patricia S. Dodszeweit

Patricia S. Dodszeweit, Clerk
Certified Order Issued in Lieu of Mandate