

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-13196

TIMOTHY JOHN MIERS,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:19-cv-20740-KMM

ORDER:

2

Order of the Court

22-13196

Timothy Miers moves for a certificate of appealability in order to appeal the denial of his 28 U.S.C. § 2255 motion to vacate. His motion for a certificate of appealability is DENIED because he has failed to make a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

/s/ Andrew L. Brasher

UNITED STATES CIRCUIT JUDGE

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Before BRASHER AND ABUDU, Circuit Judges.

BY THE COURT:

Timothy Miers has filed a motion for reconsideration of this Court's order denying his motion for a certificate of appealability. Upon review, Miers's motion for reconsideration is DENIED because he does not present any new evidence or arguments of merit.

APP. 2

CERTIFICATE OF SERVICE.

I, Timothy John Miers, #11031-050, the Pro-Se Appellant, HEREBY CERTIFIES, under penalty of perjury, that:

(1) The aforementioned statements are true; (2) A true and correct copy of the attached CORRECTED MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS has been placed in the United States Penitentiary at Tucson Legal-Mailing-System OR placed in the hands of the proper correctional authorities for placement in same, on the 25TH day of JUNE, 2024; (3) In a properly marked and addressed envelope; (4) With an adequate amount of First-Class United States Postage Attached, that "is being prepaid by Mr. Miers" and Certified by the U.S. Postal Service with Tracking No. 9589-0710-5270-0686-6725-98.

TO:

1. SUPREME COURT OF THE UNITED STATES
1 FIRST STREET, N.E.
WASHINGTON, DC 20543
ATTN: CLERK OF THE COURT
VIA CERTIFIED MAIL WITH TRACKING No. 9589-0710-5270-0686-6725-98.

AND

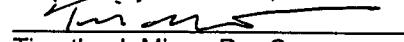
2. SOLICITOR GENERAL OF THE UNITED STATES
ROOM 5614
DEPARTMENT OF JUSTICE
950 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20530
VIA FIRST CLASS POST.

Pursuant to Title 28 U.S.C. 1746 and this Honorable Court in HOUSTON v. LACK, 487 U.S. 266 (1998),
the filing date for the Motion to Proceed in Forma Pauperis must be designated as JUNE 25, 2024.

The undersigned executes this Certificate of Service under penalty of perjury, pursuant to 28 U.S.C. 1746.
Date: JUNE 25, 2024 AT 1:09 AM PM MTN TIME, AT LOCATION: ESAL-MAIL-WINDOW
ON CAMERA.


CASE MANAGER
AUTHORIZED BY THE ACT OF JULY 7, 1968.
AS AMENDED, TO ADMINISTER OATHS.
18 U.S.C. 4004

Respectfully submitted,


Timothy J. Miers, Pro-Se
Reg. No. 11031-050
USP: Tucson
P.O. Box 24550
Tucson, Arizona 85734.