

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 22-13196

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TIMOTHY JOHN MIERS,

Petitioner-Appellant,

*versus*

UNITED STATES OF AMERICA,

Respondent-Appellee.

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

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ORDER:

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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APP 1

2

Order of the Court

22-13196

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 25<sup>TH</sup> 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. 9589-0710-5270-0686-6725-987

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. 9589-0710-5270-0686-6725-987

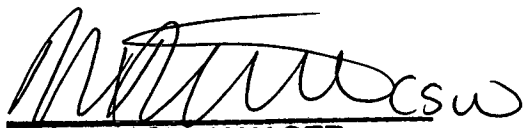
AND

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

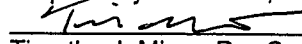
Pursuant to Title 28 U.S.C. 1746 and this Honorable Court in HOUSTON v. LACK, 487 U.S. 266 (1998), the filing date for the Motion to Proceed in Forma Pauperis must be designated as JUNE 25, 2024.

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: LEGAL-MAIL-WINDOW  
ON CAMERA.

  
**CASE MANAGER**  
AUTHORIZED BY THE ACT OF JULY 7, 1993.  
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.