

## APPENDIX

1a

*Appendix A*

**United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

No. 23-1268 September Term, 2024

DOD-03/30/22 Order

Filed On: November 1, 2024

Martin Akerman,  
Petitioner

v.

National Guard Bureau,  
Respondent

BEFORE: Henderson, Millett, and Walker, Circuit  
Judges

**O R D E R**

Upon consideration of the motion to recall the mandate, it is

ORDERED that the motion to recall the mandate be denied. The court's inherent power to recall its mandate "can be exercised only in extraordinary circumstances," *Calderon v. Thompson*, 523 U.S. 538, 549-50 (1998). Petitioner has shown no such circumstances in this case, as he has not shown a valid basis for failing to pay the fee before issuance of the mandate, and he has not provided "even a hint of suggestion that he might succeed" on the merits of this case. See *Thomas v. Holder*, 750 F.3d 899, 904 (D.C. Cir. 2014) (internal quotation marks omitted).

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk