

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 26th day of July, two thousand twenty-three.

Philander Philippeaux,

Petitioner,

v.

United States of America,

Respondent.

ORDER

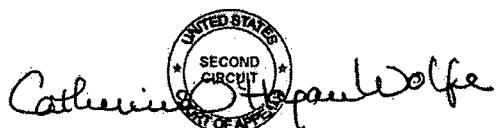
Docket No: 24-527

Petitioner, Philander Philippeaux, filed a petition for panel rehearing, or, in the alternative, for rehearing *en banc*. The panel that determined the appeal has considered the request as a motion for reconsideration, and the active members of the Court have considered the request for rehearing *en banc*.

IT IS HEREBY ORDERED that the motion and petition are denied.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk


Catherine O'Hagan Wolfe

APPENDIX "I"

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 27th day of June, two thousand twenty-four.

Present:

Denny Chin,
Richard J. Sullivan,
Beth Robinson,
Circuit Judges.

Philander Philippeaux,

Petitioner,
v.

24-527

United States of America,

Respondent.

Petitioner, pro se, has filed a petition for a writ of mandamus directing the district court to issue a "legal order" as to certain motions. He also moves for judicial notice of a partial grand jury transcript. Upon due consideration, it is ORDERED that the mandamus petition is DENIED because Petitioner has not demonstrated that he lacks an adequate, alternative means of obtaining relief, that his right to the writ is clear and indisputable, and that granting the writ is appropriate under the circumstances. *See Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380-81 (2004). It is further ORDERED that the motion for judicial notice is DENIED as moot.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe


APPENDIX "H"