

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Kelly L. Stephens  
Clerk

100 EAST FIFTH STREET, ROOM 540  
POTTER STEWART U.S. COURTHOUSE  
CINCINNATI, OHIO 45202-3988

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Filed: March 04, 2024

Mr. Nawaz Ahmed  
Chillicothe Correctional Institution  
P.O. Box 5500  
Chillicothe, OH 45601

Mr. Charles L. Wille  
Office of the Attorney General  
of Ohio  
30 E. Broad Street  
23rd Floor  
Columbus, OH 43215

Mr. Keith Arthur Yeazel  
Law Office  
905 S. High Street  
Columbus, OH 43206

Re: Case No. 20-4153: 21-3542: 22-3039, *Nawaz Ahmed v. Tim Shoop*  
Originating Case No. 2:07-cv-00658

Dear Mr. Ahmed and Counsel:

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Patricia J. Elder  
Senior Case Manager

cc: Mr. Richard W. Nagel

Enclosure

Nos. 20-4153/21-3542/22-3309

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**FILED**

Mar 4, 2024

KELLY L. STEPHENS, Clerk

NAWAZ AHMED, )  
Petitioner-Appellant, )  
v. )  
TIM SHOOP, Warden, )  
Respondent-Appellee. )

**OR D E R**

Before: SILER, WHITE, and LARSEN, Circuit Judges.

Nawaz Ahmed, an Ohio death-row inmate, has filed multiple pro se motions across three different appeals from the district-court case in which that court denied his petition for a writ of habeas corpus filed under 28 U.S.C. § 2254. Ahmed's appointed counsels have filed a motion to proceed in forma pauperis (IFP) in No. 21-3542. Ahmed is serving a death sentence for the 1999 murders of his estranged wife and her sister, father, and two-year-old niece. *See State v Ahmed*, 813 N.E.2d 637, 667 (Ohio 2004).

**Procedural History**

On September 21, 2020, the district court denied Ahmed's § 2254 petition. Although represented by appointed attorneys, Ahmed filed a timely pro se notice of appeal on October 16, 2020, which was received by this court on October 26 and docketed as Case No. 20-4153.

In the meantime, Ahmed's counsels filed a timely Federal Rule of Civil Procedure 59(e) motion to alter or amend the judgment on October 18, 2020. The district court denied that motion on May 7, 2021. On June 4, 2021, counsels filed a timely notice of appeal, which was docketed as Case No. 21-3542. Cases Nos. 20-4153 and 21-3542 have been consolidated.

On September 7, 2021, the district court denied Ahmed's pro se motion to strike the notice of appeal filed by counsels. Three months later, Ahmed moved for leave to reopen the time for

Nos. 20-4153/21-3542/22-3039

- 2 -

appealing that denial. The district court denied that motion on January 6, 2022. Ahmed's timely pro se notice of appeal from that denial was docketed in this court as Case No. 22-3039.

On November 14, 2022, the jurisdictional panel in No. 22-3039 (Boggs, Bush, and Larsen, JJ.) dismissed the appeal insofar as Ahmed was seeking to appeal the district court's order dated September 7, 2021. Ahmed's petition for rehearing en banc was denied on February 3, 2023. The United States Supreme Court denied Ahmed's petition for certiorari on October 3, 2023. Ahmed's appeal from the district court's January 6, 2022 order remains pending in No. 22-3039. We now consolidate No. 22-3039 with Nos. 20-4153 and 21-3542.

### **Pending Motions**

On July 6, 2021, in Nos. 20-4153 and 21-3542, after counsel filed the appeal from the denial of Ahmed's Rule 59(e) motion, Ahmed filed a pro se motion to dismiss No. 21-3542 as duplicative. He asserted that his appointed attorneys were conspiring with the case manager in this court, Patricia Elder, to not honor the district court's order granting IFP back in 2007, which allegedly compelled him to pay the \$505 filing fee in No. 20-4153.

On August 20, 2021, Ahmed filed a similar pro se motion in No. 21-3542 only. That motion also requested that the court substitute an "ethical case manager" for case manager Elder and to substitute counsels. Besides accusing counsels of a variety of failings and professional and personal misconduct, Ahmed expressed concern that counsels' failing to appeal from the underlying judgment—and instead filing the "illegal" and "duplicate" appeal from the denial of the Rule 59(e) motion—had forced him to file a pro se notice of appeal and to pay the \$505 fee. He thus urges the court to "fine" each of his attorneys \$505. And he faulted Elder for collaborating with them in docketing No. 21-3542 and accuses her of anti-Muslim bias.

On December 14, 2022, Ahmed filed a pro se motion to appoint appellate counsel and to have his current attorneys withdraw in Nos. 20-4153 and 22-3039.

Finally, Ahmed's attorneys filed a motion for Ahmed to proceed IFP in No. 21-3542, and Ahmed has filed an IFP motion in No. 22-3039.

**Attorneys' Response**

In their omnibus response to Ahmed's various pro se motions in the three cases, Ahmed's attorneys argue that his pro se motions should be denied. They state that he suffers from a "delusional disorder" and mental illness and that he needs counsel. They assert that, despite Ahmed's differences with them, they are willing and able to continue representing him. They also argue that No. 21-3542, the appeal in which they are representing Ahmed, should go forward.

**Discussion****I. Ahmed's Motions to Dismiss Duplicate Appeal, for Substitution (and Fining) of Counsel, and to Remove Case Manager****A. Duplicate Appeal**

As Ahmed's attorneys observe, one of Ahmed's primary concerns with their filing of No. 21-3542 is that the \$505 filing fee that he paid in No. 20-4153 is being unjustly applied to the counseled appeal. As they point out, that is a misconception on Ahmed's part; Ahmed's fee remains due in No. 21-3542, and his IFP motion is pending in that case.

The threshold question is whether Ahmed should be permitted to proceed with his appeal in No. 20-4153 in the first place. Ahmed has been represented by counsel throughout this § 2254 case, and even though he filed No. 20-4153 pro se, he requests the representation of counsel for that appeal. But a federal criminal defendant does not have the right to "hybrid" representation whereby he would be able to file pro se motions while represented by appointed counsel. *See United States v. Fontana*, 869 F.3d 464, 472-73 (6th Cir. 2017); *United States v. Williams*, 641 F.3d 758, 770 (6th Cir. 2011). Similarly, "[a] habeas petitioner has neither a constitutional right nor a statutory right to hybrid representation." *Miller v. United States*, 561 F. App'x 485, 488-89 (6th Cir. 2014); *see also Stinson v. United States*, No. 21-5535, 2022 WL 1314397, at \*1 (6th Cir. Feb. 8, 2022) (upholding the district court disregarding a federal prisoner's pro se filings in proceeding under 28 U.S.C. § 2255 "because [he] was represented by retained counsel at the time and did not have a constitutional or statutory right to hybrid representation").

Here, Ahmed's appointed attorneys thought it better to file a Rule 59(e) motion than to appeal directly from the underlying judgment, as Ahmed did with his pro se appeal in No. 20-

Nos. 20-4153/21-3542/22-3039

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4153. And their appeal from the denial of Rule 59(e) relief brings up the underlying judgment for appeal. *See GenCorp., Inc. v. Am. Int'l Underwriters*, 178 F.3d 804, 832-33 (6th Cir. 1999); *see also Banister v. Davis*, 140 S. Ct. 1698, 1703 (2020). Rather than extending the appointment of counsel to No. 20-4153, as Ahmed requests, it makes more sense to dismiss *that* appeal as duplicative. Accordingly, No. 20-4153 is dismissed, and No. 21-3542 is the operative appeal going forward.

**B. Request to Fine Attorneys**

We deny Ahmed's request in his motion in No. 21-3542 that the court "fine" his attorneys over the \$505 filing fee he paid in No. 20-4153 because that request is based on a factual premise that is contradicted by the record: Contrary to Ahmed's assertion, his attorneys did not force him to file the appeal in No. 20-4153 or to pay the fee in that case, nor did they file an "illegal" appeal in No. 21-3542.

**C. Request to Replace Case Manager**

We deny Ahmed's request that Elder be replaced as case manager. Elder did not improperly docket No. 21-3542, and Ahmed's allegations that she collaborated with his attorneys regarding that case or engaged in anti-Muslim bias are speculative and conclusory.

**D. Motions for Substitution of Counsel**

Indigent petitioners in capital cases are entitled to appointed counsel, *Martel v. Clair*, 565 U.S. 648, 652 (2012) (citing 18 U.S.C. § 3599), but not to counsel of their choice, *Christeson v. Roper*, 574 U.S. 373, 377 (2015) (per curiam); *see Jones v. Bradshaw*, 46 F.4th 459, 471 (6th Cir. 2022). Nonetheless, "a court may 'replace' appointed counsel with 'similarly qualified counsel . . . upon motion' of the petitioner." *Christeson*, 574 U.S. at 377 (alteration in original) (quoting 18 U.S.C. § 3599(e)). "[A] motion for substitution should be granted when it is in the 'interests of justice.'" *Id.* (quoting *Clair*, 565 U.S. at 663). The "interests of justice" standard turns on several factors, including, but not limited to: "the timeliness of the motion; the adequacy of the district court's inquiry into the defendant's complaint [in the context of reviewing the district court's denial of substitution of counsel]; and the asserted cause for that complaint, including the

Nos. 20-4153/21-3542/22-3039

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extent of the conflict or breakdown in communication between lawyer and client (and the client's own responsibility, if any, for that conflict)." *Clair*, 565 U.S. at 663.

In the constitutional context, the Sixth Amendment does not guarantee a meaningful relationship between counsel and his client. *See Morris v. Slappy*, 461 U.S. 1, 13-14 (1983). Generally, disagreements concerning a petitioner's strategy and unwillingness to communicate with counsel do not warrant substitution of counsel, at least where the attorney-client relationship has not devolved into a complete breakdown. *See United States v. Marrero*, 651 F.3d 453, 466-67 (6th Cir. 2011). Further, the appointment of substitute counsels would unnecessarily prolong this case given the complexity of the issues that have been litigated for more than fifteen years in federal court. And attorney Yeazel has been litigating Ahmed's federal petition for all of that time. Yeazel's familiarity with the issues suggests that he should continue representing Ahmed on appeal in No. 21-3542, at least for now. Accordingly, we deny Ahmed's motion for substitution of counsels in No. 21-3542. Ahmed's motion for substitution in No. 20-4153 is denied as moot. To the extent that Ahmed moves for substitution of counsel in No. 22-3039, that motion is denied as unnecessary because Ahmed is not represented by counsel in that appeal.

## II. Motions to Proceed In Forma Pauperis

### A. No. 21-3542

As we have decided that Ahmed will proceed with his current appointed attorneys, at least for now, in No. 21-3542, the next step in that appeal would be for attorneys to prepare an application for a certificate of appealability (COA). The IFP motion in No. 21-3542 will be held in abeyance and considered along with a COA application to be filed as indicated below.

### B. No. 22-3039

As noted above, Ahmed's pro se appeal in No. 22-3039 concerns only the January 6, 2022 denial of his motion to reopen the time for appealing the September 7, 2021 denial of his motion to strike the notice of appeal (again, No. 21-3542) filed by his attorneys.

Initially, we note that Ahmed does not need a COA to appeal that ruling because it is not a "final order" in that it did not "dispose of the merits of a habeas corpus proceeding." *Pounçy v. Palmer*, 993 F.3d 461, 464-65 (6th Cir. 2021) (quoting *Harbison v. Bell*, 556 U.S. 180, 183

Nos. 20-4153/21-3542/22-3039

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(2009)); *see Pennebaker v. Rewerts*, No. 21-1216, 2021 WL 7237920, at \*3 (6th Cir. Sept. 10, 2021) (concluding that “a COA [wa]s not required for [the petitioner] to challenge the district court’s denial of his motions to reopen and/or extend the time to file an appeal”).

Under Federal Rule of Appellate Procedure 24(a)(5), an appellant may seek leave to proceed IFP in this court. *See Owens v. Keeling*, 461 F.3d 763, 774-75 (6th Cir. 2006). This court may grant the IFP motion if it determines that an appeal would be taken in good faith and that the appellant is indigent. *Id.* at 776. But granting IFP status is not warranted if the appeal is frivolous—i.e., it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also Coppedge v. United States*, 369 U.S. 438, 445 (1962).

Ahmed failed to file a notice of appeal within thirty days of the district court’s September 7, 2021 denial of his motion to strike counsels’ notice of appeal in No. 21-3542. *See* 28 U.S.C. § 2107(a); *Winters v. Taskila*, 88 F.4th 665, 668-69 (6th Cir. 2023). And he failed to seek an extension of the time to file a notice of appeal within thirty days after the time to appeal. *See Winters*, 88 F.4th at 669; Fed. R. App. P. 4(a)(5).

Nonetheless,

a district court “may reopen the time to file an appeal for a period of 14 days after the date when its order to reopen is entered, but only if . . . (A) the court finds that the moving party did not receive notice” within 21 days of the entry of judgment, “(B) the motion is filed within 180 days after the judgment or order is entered or within 14 days after the moving party receives notice . . . , whichever is earlier; and (C) the court finds that no party would be prejudiced.”

*Winters*, 88 F.4th at 669 (alterations in original) (quoting Fed. R. App. P. 4(a)(6)). Ahmed purportedly submitted his Rule 4(a)(6) motion for mailing on December 8, 2021, approximately two months after the thirty-day appeal period expired. The magistrate judge recommended that Ahmed’s Rule 4(a)(6) motion be denied because Ahmed received notice through his appointed counsel within twenty-one days of the entry of the September 7, 2021 order. Although the magistrate judge warned Ahmed about the consequences of failing to file objections within fourteen days, Ahmed filed none. Based on Ahmed’s failure to object, the district court adopted the magistrate judge’s recommendation and denied his motion to reopen the time to appeal.

Nos. 20-4153/21-3542/22-3039

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Ordinarily, we review for an abuse of discretion the denial of a Rule 4(a)(6) motion for reopening the time to file an appeal. *Kuhn v. Sulzer Orthopedics, Inc.*, 498 F.3d 365, 368 (6th Cir. 2007). But a party forfeits his right to review of an issue if he fails to object to a magistrate judge's report and recommendation within fourteen days of the filing of the report, provided that the report informed the parties of the consequences of failing to object. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *see also Thomas v. Arn*, 474 U.S. 140, 155 (1985). Here, the magistrate judge's report included the requisite notice, and Ahmed failed to object. And although the forfeiture rule is non-jurisdictional and this court may excuse a forfeiture "in the interests of justice," *Thomas*, 474 U.S. at 155, the interests of justice do not warrant excusing the forfeiture here insofar as there is no reason to think that the district court abused its discretion in denying Ahmed's motion to reopen, *see Carter v. Mitchell*, 829 F.3d 455, 472 (6th Cir. 2016) (noting "a few limited circumstances" where this court has been willing to excuse the forfeiture of an issue).

For these reasons, we deny Ahmed leave to proceed IFP in No. 22-3039.

### CONCLUSION

Ahmed's motions to dismiss No. 21-3542 as duplicative (No. 20-4153, D. 18; No. 21-3542, D. 10) are **DENIED**. Instead, No. 20-4153 is hereby **DISMISSED** as duplicative, and the filing fee shall be returned by the Clerk. His requests to fine his attorneys, for substitution of counsel, and to replace the case manager (No. 20-4153, D. 22; No. 21-3542, D. 10; No. 22-3039, D. 10) are also **DENIED**. Ahmed thus will proceed with appointed counsels in No. 21-3542. His motion to proceed IFP in No. 21-3542 (No. 21-3542, D. 8) will be held in abeyance and decided along with a COA application to be filed at a future date. Ahmed's motion to proceed IFP in No. 22-3039 (No. 22-3039, D. 5) is **DENIED**. Unless Ahmed pays the \$505 appellate filing fee to the district court within thirty days of the entry of this order, No. 22-3039 will be dismissed for want of prosecution.

Nos. 20-4153/21-3542/22-3039

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Within thirty days of the date of this order, Ahmed's attorneys are **DIRECTED** to file notice of their intent regarding the filing of a COA application on Ahmed's behalf.

ENTERED BY ORDER OF THE COURT

  
\_\_\_\_\_  
Kelly L. Stephens, Clerk

Nos. 20-4153/21-3542/22-3039

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**

Apr 17, 2024

KELLY L. STEPHENS, Clerk

NAWAZ AHMED,

)

Petitioner-Appellant,

)

v.

)

TIM SHOOP, WARDEN,

)

Respondent-Appellee.

)

)

)

**O R D E R**

**BEFORE:** SILER, WHITE, and LARSEN, Circuit Judges.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision of the cases. The petition then was circulated to the full court.\* No judge has requested a vote on the suggestion for rehearing en banc.

Therefore, the petition is denied.

**ENTERED BY ORDER OF THE COURT**



Kelly L. Stephens

Kelly L. Stephens, Clerk

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\*Judge Murphy recused himself from participation in this ruling.

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Kelly L. Stephens  
Clerk

100 EAST FIFTH STREET, ROOM 540  
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Filed: April 17, 2024

Nawaz Ahmed  
Chillicothe Correctional Institution  
P.O. Box 5500  
Chillicothe, OH 45601

Re: Case No. 20-4153/21-3542/22-3039, *Nawaz Ahmed v. Tim Shoop*  
Originating Case No.: 2:07-cv-00658

Dear Mr. Ahmed,

The Court issued the enclosed Order today in these cases.

Sincerely yours,

s/Beverly L. Harris  
En Banc Coordinator  
Direct Dial No. 513-564-7077

cc: Ms. S. Adele Shank  
Mr. Charles L. Wille  
Mr. Keith Arthur Yeazel

Enclosure

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**Scott S. Harris**  
Clerk of the Court  
(202) 479-3011

July 15, 2024

Mr. Nawaz Ahmed  
Prisoner ID #A404-511  
Ross Correctional Institution  
P.O. Box 7010  
Chillicothe, OH 45601-7010

Re: Nawaz Ahmed  
v. Tim Shoop, Warden  
Application No. 24A35

Dear Mr. Ahmed:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case has been presented to Justice Kavanaugh, who on July 15, 2024, extended the time to and including September 14, 2024.

This letter has been sent to those designated on the attached notification list.

NOTE: But September 14, 2024 is Saturday - Weekend, so handing over legal mail via RCI prison Mail box would on Monday, September 16, 2024.

Sincerely,

**Scott S. Harris, Clerk**

by

Susan Frimpong  
Case Analyst

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**Scott S. Harris**  
Clerk of the Court  
(202) 479-3011

**NOTIFICATION LIST**

Mr. Nawaz Ahmed  
Prisoner ID #A404-511  
Ross Correctional Institution  
P.O. Box 7010  
Chillicothe, OH 45601-7010

Clerk  
United States Court of Appeals for the Sixth Circuit  
540 Potter Stewart U.S. Courthouse  
100 East Fifth Street  
Cincinnati, OH 45202-3988

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UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Deborah S. Hunt  
Clerk

100 EAST FIFTH STREET, ROOM 540  
POTTER STEWART U.S. COURTHOUSE  
CINCINNATI, OHIO 45202-3988

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[www.ca6.uscourts.gov](http://www.ca6.uscourts.gov)

Filed: October 29, 2020

Mr. Nawaz Ahmed  
Chillicothe Correctional Institution  
P.O. Box 5500  
Chillicothe, OH 45601

Mr. Charles L. Wille  
Office of the Attorney General  
of Ohio  
150 E. Gay Street  
16th Floor  
Columbus, OH 43215

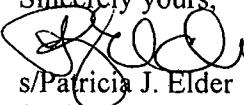
Mr. Keith Arthur Yeazel  
Law Office  
905 S. High Street  
Columbus, OH 43206

Re: Case No. 20-4153, *Nawaz Ahmed v. Tim Shoop*  
Originating Case No: 2:07-cv-00658

Dear Mr. Ahmed and Counsel:

This case has been docketed as case number 20-4153. It will be held in abeyance until after the district court rules on pending motions, identified under Fed. R. App. P. 4(a)(4), and jurisdiction transfers to the Sixth Circuit Court of Appeals. Once this court has jurisdiction, the appeal will proceed in the normal course and you will receive additional instructions from the Clerk's office.

In the meantime, you are strongly encouraged to read the Federal Rules of Appellate Procedure and Sixth Circuit Rules at [www.ca6.uscourts.gov](http://www.ca6.uscourts.gov). If you are counsel for a party and have not established a PACER account and registered with this court as an ECF filer, you should do so immediately. Your password for district court filings will not work in the appellate ECF system. If you are representing yourself in this appeal, you will continue to file in paper and your pleadings will be scanned into the court's electronic docket.

Sincerely yours,  
  
s/Patricia J. Elder  
Senior Case Manager

cc: Mr. Richard W. Nagel

Enclosure

Rec'd  
11/3/20

APPENDIX H

PACER fee: Exempt Change

General Docket  
United States Court of Appeals for the Sixth Circuit

Court of Appeals Docket #: 20-4153

Docketed: 10/29/2020

Nature of Suit: 3535 Habeas Corpus - Death Penalty

Nawaz Ahmed v. Tim Shoop

Appeal From: Southern District of Ohio at Columbus

Fee Status: Fee Due

**Case Type Information:**

- 1) Death Penalty
- 2) State
- 3) Habeas Corpus

**Originating Court Information:**

District: 0648-2 : 2:07-cv-00658

Court Reporter: Lahana M. DuFour

Trial Judge: Michael H. Watson, U.S. District Judge

Magistrate Judge: Michael R. Merz, U.S. Magistrate Judge

Date Filed: 07/11/2007

Date Order/Judgment:

09/21/2020

Date NOA Filed:

10/26/2020

**Prior Cases:**

07-4481	Date Filed: 12/07/2007	Date Disposed: 02/07/2008	Disposition: Dismissed Jurisdiction
09-3241	Date Filed: 03/09/2009	Date Disposed: 03/24/2009	Disposition: Other
15-3684	Date Filed: 06/24/2015	Date Disposed: 08/04/2015	Disposition: Dismissed Jurisdiction
18-3292	Date Filed: 04/03/2018	Date Disposed: 04/27/2018	Disposition: Dismissed Jurisdiction

**Current Cases:**

Related	Lead	Member	Start	End
	20-4153	<u>20-4302</u>	12/17/2020	
	20-4153	<u>21-3542</u>	06/15/2021	

NAWAZ AHMED (#404511)  
Petitioner - Appellant

Nawaz Ahmed  
[NTC Pro Se]  
Chillicothe Correctional Institution  
P.O. Box 5500  
Chillicothe, OH 45601

Keith Arthur Yeazel  
Direct: 614-885-2900  
[NTC Appointed]  
Law Office  
905 S. High Street  
Columbus, OH 43206

v.

TIM SHOOP, Warden  
Respondent - Appellee

Charles L. Wille  
Direct: 614-644-7233  
[NTC Retained]  
Office of the Attorney General  
of Ohio  
30 E. Broad Street  
23rd Floor  
Columbus, OH 43215

20-4153

10/29/2020	<input type="checkbox"/> 1	Death Penalty Case Docketed with certificate of appealability and IFP denied. Notice filed by Appellant Nawaz Ahmed. Transcript needed: y. (PJE) [Entered: 10/29/2020 11:57 AM]
10/29/2020	<input type="checkbox"/> 2	The case manager for this case is: Patricia Elder (PJE) [Entered: 10/29/2020 11:57 AM] <i>ECF</i>
10/29/2020	<input type="checkbox"/> 3 2 pg, 11.63 KB	4a4 Notice filed. Case held in abeyance pending DC ruling on <u>R.160</u> motion to alter judgment (PJE) [Entered: 10/29/2020 11:58 AM]
10/29/2020	<input type="checkbox"/> 4 109 pg, 8.08 MB	Copy of the appeal packet sent to DC for filing. (PJE) [Entered: 10/29/2020 02:22 PM]
04/21/2021	<input type="checkbox"/> 5 4 pg, 149.65 KB	<b>NOTIFICATION</b> filed by Nawaz Ahmed regarding Declaration/Affidavit in support of motion request to proceed in forma pauperis. Certificate of Service: <u>03/31/2021</u> . (PJE) [Entered: 04/22/2021 10:47 AM]
04/21/2021	<input type="checkbox"/> 10 4 pg, 236.41 KB	Appellant MOTION and declaration/affidavit filed by Nawaz Ahmed to proceed in forma pauperis. Certificate of service: 03/31/2021. (PJE) [Entered: 06/15/2021 12:22 PM]
05/13/2021	<input type="checkbox"/> 11 18 pg, 603.88 KB	PETITION for initial en-banc hearing filed by Nawaz Ahmed. Certificate of Service: none; dated 04/13/2021. (Also docketed in case number 20-4302).--[Edited 06/15/2021 by BLH] (BLH) [Entered: 06/15/2021 01:44 PM]
06/15/2021	<input type="checkbox"/> 7 7 pg, 261.24 KB	<b>4A4 ORDER</b> from district court filed. Order Filed:05/07/2021. <u>R.194</u> [20-4153, 20-4302] (PJE) [Entered: 06/15/2021 11:21 AM] <i>11-55AM 21-3542</i>
06/15/2021	<input type="checkbox"/> 8 24 pg, 7.7 MB	AMENDED NOTICE OF APPEAL filed by Nawaz Ahmed in 20-4153, 20-4302. [20-4153, 20-4302] (PJE) [Entered: 06/15/2021 11:25 AM] <i>11-55AM 21-3542</i>
06/15/2021	<input type="checkbox"/> 12 1 pg, 91.44 KB	<b>RULING LETTER SENT to extend time to pay fee or renew IFP in this Court</b> by July 6, 2021. [20-4153, 20-4302] (PJE) [Entered: 06/15/2021 03:09 PM] <i>See #10</i>
06/15/2021	<input type="checkbox"/> 13 25 pg, 1.71 MB	Copy of copy of Amended NOA filed in District Court from district court filed. [20-4153, 20-4302] (PJE) [Entered: 06/15/2021 04:06 PM]
06/21/2021	<input type="checkbox"/> 14 7 pg, 455.18 KB	Appellant <b>LETTER</b> filed regarding various issues. Letter from Nawaz Ahmed. Certificate of Service: 06/16/2021. [20-4153, 20-4187, 20-4302, 21-3095] (BLH) [Entered: 06/21/2021 04:19 PM]

Affidavit. mailed 7/1/21 Thursday  
Motion for Record " 7/1/21 "  
Mred. Bill. Mailed 7/2/21 Friday -

7/9/21 Filing Fee \$500.00 check # 23986 issued by cashier.

7/9/21 Filing Fee \$5.00 check # 23991 issued to Dist. Ct. SD by cashier.

General Docket  
United States Court of Appeals for the Sixth Circuit

Court of Appeals Docket #: 21-3542

Docketed: 06/15/2021

Nature of Suit: 3535 Habeas Corpus - Death Penalty

Nawaz Ahmed v. Tim Shoop

Appeal From: Southern District of Ohio at Columbus

Fee Status: pending in 6th Cir

## Case Type Information:

- 1) Death Penalty
- 2) State
- 3) Habeas Corpus

## Originating Court Information:

District: 0648-2 : 2:07-cv-00658

Originating Clerk: Michael H. Watson, U.S. District Judge

Date Filed: 07/11/2007

Date Order/Judgment:

05/07/2021

Date NOA Filed:

06/04/2021

## Prior Cases:

<u>07-4481</u>	Date Filed: 12/07/2007	Date Disposed: 02/07/2008	Disposition: Dismissed Jurisdiction
<u>09-3241</u>	Date Filed: 03/09/2009	Date Disposed: 03/24/2009	Disposition: Other
<u>15-3684</u>	Date Filed: 06/24/2015	Date Disposed: 08/04/2015	Disposition: Dismissed Jurisdiction
<u>18-3292</u>	Date Filed: 04/03/2018	Date Disposed: 04/27/2018	Disposition: Dismissed Jurisdiction
<u>20-4187</u>	Date Filed: 11/06/2020	Date Disposed: 02/17/2021	Disposition: Motions Panel, Other
<u>21-3095</u>	Date Filed: 02/02/2021	Date Disposed: 03/10/2021	Disposition: Motions Panel, Other

## Current Cases:

	Lead	Member	Start	End
Related				
	<u>20-4153</u>	<u>21-3542</u>	06/15/2021	
	<u>20-4153</u>	<u>22-3039</u>	01/19/2022	

NAWAZ AHMED (#404511)  
Petitioner - AppellantS. Adele Shank  
Direct: 614-326-1217  
[COR NTC Appointed]  
Law Office  
1520 Old Henderson Road  
Suite 100 G  
Columbus, OH 43220Keith Arthur Yeazel  
Direct: 614-885-2900  
[COR NTC Appointed]  
Law Office  
905 S. High Street  
Columbus, OH 43206

v.

TIM SHOOP, Warden  
Respondent - AppelleeCharles L. Wille  
Direct: 614-644-7233  
[COR LD NTC Retained]  
Office of the Attorney General  
of Ohio  
30 E. Broad Street  
23rd Floor  
Columbus, OH 43215

06/15/2021	<input type="checkbox"/> <u>1</u> 3 pg, 93.4 KB	Death Penalty Case Docketed with certificate of appealability and IFP denied 9/21/2020 R.156. Notice filed by Appellant Nawaz Ahmed. Transcript needed: n. (PJE) [Entered: 06/15/2021 11:55 AM]
06/15/2021	<input type="checkbox"/> <u>2</u>	Update fee status change to due. R.156 filed 9/21/2021 denies IFP and CAP (PJE) [Entered: 06/15/2021 12:11 PM]
06/15/2021	<input type="checkbox"/> <u>3</u>	The case manager for this case is: Patricia Elder (PJE) [Entered: 06/15/2021 12:12 PM]
06/28/2021	<input type="checkbox"/> <u>4</u> 1 pg, 327.08 KB	APPEARANCE filed for Appellant Nawaz Ahmed by Keith A. Yeazel. Certificate of Service: 06/28/2021. [21-3542] (KAY) [Entered: 06/28/2021 12:38 PM]
06/28/2021	<input type="checkbox"/> <u>5</u>  7 pg, 105.15 KB	***LOCKED*** MOTION filed by Keith Arthur Yeazel and S. Adele Shank for Nawaz Ahmed to proceed in forma pauperis. Certificate of Service: 06/28/2021. [21-3.542] Counsel is kindly advised to refile motion and financial affidavit separately.--[Edited 06/28/2021 by PJE] (KAY) [Entered: 06/28/2021 12:41 PM]
06/28/2021	<input type="checkbox"/> <u>6</u> 1 pg, 323.91 KB	APPEARANCE filed for Appellant Nawaz Ahmed by S. Adele Shank. Certificate of Service: 06/28/2021. [21-3542] (SAS) [Entered: 06/28/2021 01:05 PM]
06/28/2021	<input type="checkbox"/> <u>7</u> 1 pg, 98.06 KB	APPEARANCE filed for Appellee Tim Shoop by Charles L. Wille. Certificate of Service: 06/28/2021. [21-3542] (CLW) [Entered: 06/28/2021 03:33 PM]
06/28/2021	<input type="checkbox"/> <u>8</u> 4 pg, 44.1 KB	MOTION filed by Mr. Keith Arthur Yeazel for Nawaz Ahmed to proceed in forma pauperis. Certificate of Service: 06/28/2021. [21-3542] (KAY) [Entered: 06/28/2021 03:45 PM]
06/28/2021	<input type="checkbox"/> <u>9</u>  3 pg, 61.05 KB	Financial Affidavit filed by Attorney Mr. Keith Arthur Yeazel for Appellant Nawaz Ahmed Certificate of Service: 06/28/2021. [21-3542] (KAY) [Entered: 06/28/2021 03:47 PM]
08/20/2021	<input type="checkbox"/> <u>10</u> 32 pg, 2.25 MB	Appellant MOTION filed by pro se, Nawaz Ahmed to dismiss case 21-3542 as duplicative of 20-4153; to remove case manager from the case; remove counsel Adele Shank and Keith Yeazel as counsel for appellant and appoint new counsel. Certificate of service: 08/12/2021. (PJE) [Entered: 09/08/2021 11:15 AM]
09/09/2021	<input type="checkbox"/> <u>11</u> 5 pg, 257.54 KB	CORRESPONDENCE: requesting his case by pro se, Nawaz Ahmed (PJE) [Entered: 09/09/2021 03:11 PM]
09/13/2021	<input type="checkbox"/> <u>12</u> 46 pg, 3.29 MB	CORRESPONDENCE: regarding service of his motion to dismiss counsel's appeal by.Nawaz Ahmed (PJE) [Entered: 09/14/2021 08:21 AM]

Nawaz Ahmed  
A404-511, CCI  
P.O. Box 5500  
Chillicothe, Ohio 45601

October 1, 2020

Mr. Ahmed,

I looked up the status conference hearing you requested held May 22, 2019. There was a hearing but it was not on the record so I have nothing to prepare for you in a transcript.

Thank you,

Lahana DuFour  
Court Reporter to the  
Honorable Michael H. Watson

APPENDIX "J"