

United States Court of Appeals  
For the Seventh Circuit  
Chicago, Illinois 60604

Submitted February 9, 2024  
Decided May 8, 2024

**Before**

AMY J. ST. EVE, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 23-2098

CHAD MALONE,  
*Petitioner-Appellant,*

Appeal from the United States District  
Court for the Southern District of Indiana,  
Terre Haute Division.

*v.*

No. 2:22-cv-00013-MPB-MG

FRANK VANIHEL,  
*Respondent-Appellee.*

Matthew P. Brookman,  
*Judge.*

**O R D E R**

Chad Malone has filed a notice of appeal from the denial of his petition under 28 U.S.C. § 2254 and an application for a certificate of appealability. We have reviewed the final order of the district court and the record on appeal and find no substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

Accordingly, Malone's request for a certificate of appealability and his request to proceed in forma pauperis are denied.

United States Court of Appeals  
For the Seventh Circuit  
Chicago, Illinois 60604

July 16, 2024

**Before**

AMY J. ST. EVE, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 23-2098

CHAD MALONE,  
*Petitioner-Appellant,*

*v.*

Appeal from the United States District  
Court for the Southern District of  
Indiana, Terre Haute Division.

FRANK VANIHEL,  
*Respondent-Appellee.*

No. 2:22-cv-00013-MPB-MG

Matthew P. Brookman,  
*Judge.*

**ORDER**

On June 28, 2024, appellant filed a petition for rehearing. On consideration of the petition for rehearing, the judges on the original panel have voted to deny rehearing. It is, therefore, ORDERED that the petition for rehearing is DENIED.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

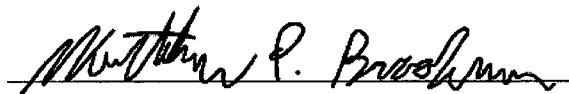
CHAD MALONE, )  
Petitioner, )  
v. ) No. 2:22-cv-00013-MPB-MG  
FRANK VANIHEL, )  
Respondent. )

**FINAL JUDGMENT**

The Court now enters FINAL JUDGMENT in favor of the respondent and against the petitioner.

The petitioner's petition for writ of habeas corpus is denied and the action is dismissed with prejudice.

**Date: May 15, 2023**



Matthew P. Brookman, Judge  
United States District Court  
Southern District of Indiana

Roger A.G. Sharpe, Clerk

BY: Tricia M. Blanford  
Deputy Clerk, U.S. District Court

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