

W.D.N.Y.
23-cv-309
Vilardo, J.

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 25th day of September, two thousand twenty-four.

Present:

Reena Raggi,
Richard C. Wesley,
Raymond J. Lohier, Jr.,
Circuit Judges.

David C. Lettieri,

Plaintiff-Appellant,

v.

24-1187 (L),
24-2317 (Con)

Federal Bureau of Investigation,

Defendant-Appellee.

Appellant, proceeding pro se, moves for in forma pauperis status. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeals are DISMISSED because they “lack[] an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); see 28 U.S.C. § 1915(e).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court


Catherine O'Hagan Wolfe



Judgment in a Civil Case

United States District Court
WESTERN DISTRICT OF NEW YORK

DAVID C. LETTIERI

JUDGMENT IN A CIVIL CASE
CASE NUMBER: 1:23-cv-00309

v.

FEDERAL BUREAU OF INVESTIGATION

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Lettieris complaint is dismissed and his motions. Docket Items 1, 13, 14, 16, 20, 21, 23, 24 are Denied as moot. ORDERED that this Court hereby certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and leave to appeal to the Court of Appeals in forma pauperis is denied. *Coppedge v. United States*, 369 U.S. 438 (1962). Further requests to proceed on appeal in forma pauperis should be directed, on motion, to the United States Court of Appeals for the Second Circuit, in accordance with Rule 24 of the Federal Rules of Appellate Procedure.

Date: February 28, 2024

MARY C. LOEWENGUTH
CLERK OF COURT

By: s/Tatiana
Deputy Clerk

**Additional material
from this filing is
available in the
Clerk's Office.**