

EXHIBIT A

BLD-007

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **24-1968**

UNITED STATES OF AMERICA

VS.

DAJAVAN SPEAKS, Appellant

(E.D. Pa. Crim. No. 2:22-cr-00154)

Present: SHWARTZ, MATEY, and CHUNG, Circuit Judges

Submitted is Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1) in the above-captioned case.

Respectfully,

Clerk

ORDER

Dajavan Speaks, through counsel, seeks review of a decision by the District Court denying his motion for postconviction relief under 28 U.S.C. § 2255. Speaks needs a certificate of appealability (COA) to proceed. A COA will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). That standard is satisfied by a showing that "jurists of reason could disagree with the district court's resolution of [the § 2255 movant's] constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." Buck v. Davis, 580 U.S. 100, 115 (2017) (citation omitted). Because Speaks fails to satisfy that standard, his COA request is denied.

By the Court,

s/Patty Shwartz
Circuit Judge

Dated: November 4, 2024

CND/cc: All Counsel of Record



A True Copy:

Patricia S. Dodszeuweit

Patricia S. Dodszeuweit, Clerk
Certified Order Issued in Lieu of Mandate

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
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November 4, 2024

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RE: USA v. Dajavan Speaks
Case Number: 24-1968
District Court Case Number: 2-22-cr-00154

ENTRY OF JUDGMENT

Today, **November 04, 2024** the Court issued a case dispositive order in the above-captioned matter which serves as this Court's judgment. Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Form Limits:

3900 words if produced by a computer, with a certificate of compliance pursuant to Fed. R. App. P. 32(g).

15 pages if hand or type written.

Attachments:

A copy of the panel's opinion and judgment only.

Certificate of service.

Certificate of compliance if petition is produced by a computer.

No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. Pursuant to Fed. R. App. P. 35(b)(3), if separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to the form limits as set forth in Fed. R. App. P. 35(b)(2). If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,
Patricia S. Dodszuweit, Clerk

By: s/Cara Davis
Case Manager
267-299-4210

cc: Mr. George V. Wylesol

EXHIBIT B

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 24-1968

UNITED STATES OF AMERICA

v.

DAJAVAN SPEAKS,
Appellant

(E. D. of P.A. Crim No. 2:22-cr-00154-001)

SUR PETITION FOR PANEL REHEARING

Present: SHWARTZ, MATEY, and CHUNG, Circuit Judges

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby

O R D E R E D that the petition for rehearing by the panel is denied.

BY THE COURT,

s/Patty Shwartz
Circuit Judge

Dated: February 20, 2025