

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-3020**September Term, 2013****89cr00036-01****Filed On: February 21, 2014**

United States of America,

Appellee

v.

Michael Palmer, also known as Tony, also
known as James, also known as Knot,

Appellant

BEFORE: Tatel, Brown, and Pillard, Circuit Judges

ORDER

Upon consideration of the motion for a certificate of appealability and the opposition thereto; and the order to show cause filed August 22, 2013, appellant's response thereto, and appellee's response to appellant's response, it is

ORDERED, on the court's own motion, that the order to show cause be discharged. It is

FURTHER ORDERED that the motion for certificate of appealability be dismissed for lack of jurisdiction. Appellant has not filed a timely notice of appeal from the district court's order as to which the certificate of appealability is sought. See Rule 11(b), Rules Governing Section 2255 Proceedings (Fed. R. App. P. 4(a) governs the time to appeal a § 2255 order, and a "timely notice of appeal must be filed even if the district court issues a certificate of appealability").

Pursuant to D.C. Cir. Rule 36, this disposition will not be published. Because no certificate of appealability has been allowed, no mandate will issue.

Per Curiam

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 00-3020

September Term, 2017

89cr00036-01

Filed On: December 8, 2017

United States of America,

Appellee

v.

Michael Palmer, also known as Tony, also
known as James, also known as Knot,

Appellant

BEFORE: Tatel and Pillard, Circuit Judges

ORDER

Upon consideration of the petition for panel rehearing; appellant's motion to govern future proceedings; the motion to dismiss, the court's order to show cause filed on September 14, 2017, the motion for leave to late file a response, and the response to the motion to dismiss; and the notices of supplemental authority pursuant to Federal Rule of Civil Procedure 28(j), it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that the motion for leave to late file a response to the motion to dismiss be granted. It is

FURTHER ORDERED that the petition for rehearing be denied. The petition is supported only by arguments that have been raised for the first time on rehearing. See United States v. Whitmore, 384 F.3d 836, 836 (D.C. Cir. 2004) ("[A] party may not raise an issue for the first time on rehearing."). It is

FURTHER ORDERED that the motion to dismiss be dismissed as moot.

Per Curiam

Exhibit "6"

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk