

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

OLAMIDE OLATAYO BELLO

§
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§
§

CASE NO. 4:23CR136
Judge Mazzant

ORDER

On June 3, 2025, Defendant filed *Pro Se* Motions for Order of Designation of Record on Appeal (Dkts. #704, 705, 706).

It is ORDERED that the Defendant filed a *Pro Se* Motions for Order of Designation of Record on Appeal (Dkts. #704, 705, 706) are **DENIED** as moot.

IT IS SO ORDERED.

SIGNED this 11th day of July, 2025.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 24, 2025

Lyle W. Cayce
Clerk

No. 25-40214

AND

Nos. 25-40217, 25-40222, 25-40334, 25-40346

IN RE OLAMIDE OLATAYO BELLO,

Petitioner.

Petitions for Writ of Mandamus to the
United States District Court
for the Eastern District of Texas
USDC No. 4:23-CR-136-1

UNPUBLISHED ORDER

Before STEWART, HO, and RAMIREZ, *Circuit Judges*.

PER CURIAM:

Olamide Olatayo Bello, a federal detainee (# 65100-510) currently awaiting sentencing, has filed pro se petitions for a writ of mandamus and motions requesting leave to file his mandamus petition in forma pauperis (IFP) in five separate cases. Because the five petitions raise challenges to the same underlying convictions, we sua sponte CONSOLIDATE them. Bello's motions for leave to proceed IFP are GRANTED.

On January 16, 2025, a jury returned a verdict finding Bello guilty of one count of conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349 and one count of conspiracy to commit money laundering in violation of 18

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U.S.C. § 1956(h). The district court has not yet sentenced Bello or entered a judgment of commitment.

In his mandamus petitions filed in No. 25-40214 and No. 25-40217, Bello challenges his prosecution and convictions on the ground that they contravene Louisiana Revised Statutes § 12:1502, Texas Business Organizations Code § 21.223, and 47 U.S.C. § 230. He requests an order directing the district court to “apply” those statutes or, alternatively, an order dismissing his indictment or vacating the jury verdict. In his mandamus petition filed in No. 25-40222, he challenges his prosecution and convictions on the ground that they contravene Texas Business Organizations Code §§ 3.103, 21.223, and 151.004. He requests an order enjoining the Government from prosecuting him under § 1349 or § 1956(h), or an order declaring his prosecution unconstitutional and voiding and nullifying the jury verdict. In his mandamus petitions filed in No. 25-40334 and No. 25-40346, Bello challenges his convictions on the ground that they resulted from “selective or vindictive prosecution.” He requests an order compelling the district court to consider his “selective or vindictive prosecution” defense “as either a bar against prosecuting [him], or as the basis for a dismissal of the prosecution.”

“Mandamus is an extraordinary remedy that should be granted only in the clearest and most compelling cases.” *In re Willy*, 831 F.2d 545, 549 (5th Cir. 1987). A party seeking mandamus relief must show both that he has ~~no other adequate means to obtain the requested relief and that he has a~~ “clear and indisputable” right to the writ. *Id.* (internal quotation marks and citation omitted). Mandamus is not a substitute for appeal. *Id.* “Where an interest can be vindicated through direct appeal after a final judgment, this court will ordinarily not grant a writ of mandamus.” *Campanioni v. Barr*, 962 F.2d 461, 464 (5th Cir. 1992).

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Because Bello has an available appellate remedy to challenge the district court's jurisdiction, its pretrial orders, the jury verdict, and the underlying criminal charges, mandamus relief is unavailable. *See id.* Further, Bello has been represented by counsel in the district court, so we question whether he may proceed pro se to seek mandamus relief relating to his criminal case. *See McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984); *United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978). In any event, he has not demonstrated a "clear and indisputable right" to the writ. *In re Willy*, 831 F.2d at 549 (internal quotation marks and citation omitted).

The petitions for writs of mandamus are DENIED. Bello's motion to bar or dismiss his criminal prosecution or, alternatively, to grant his motion for acquittal is likewise DENIED. His motions to expedite consideration of the petition are DENIED as moot.