

**UNITED STATES OF AMERICA, Plaintiff-Appellee, versus FLOYD HINTTEON GREEN, JR.,
Defendant-Appellant.
UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT
2025 U.S. App. LEXIS 3856; 2025 LX 284517
No. 24-10274 Non-Argument Calendar
February 20, 2025, Filed**

Notice:

PLEASE REFER TO FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1 GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.

Editorial Information: Prior History

{2025 U.S. App. LEXIS 1}Appeal from the United States District Court for the Middle District of Florida. D.C. Docket No. 8:23-cr-00070-TPB-NHA-1. United States v. Green, 2023 U.S. Dist. LEXIS 122740, 2023 WL 4562848 (M.D. Fla., July 17, 2023)

Disposition:

AFFIRMED.

Counsel

For UNITED STATES OF AMERICA, Plaintiff - Appellee: Todd B. Grandy, U.S. Attorney Service - Middle District of Florida, U.S. Attorney, TAMPA, FL.

For FLOYD HINTTEON GREEN, JR., Defendant - Appellant: Laura Daines, Samuel Landes, Federal Defender Organization - Middle District of Florida, Federal Public Defender's Office, TAMPA, FL; Katherine Grace Howard, Federal Public Defender's Office, ORLANDO, FL.

Judges: Before JILL PRYOR, BRASHER, and WILSON, Circuit Judges.

CASE SUMMARYThe court distinguished this case from Rodriguez v. United States, where the officer impermissibly prolonged the stop to conduct an unrelated criminal investigation after its purpose was completed. The officer did not unlawfully prolong the traffic stop to ask questions related to officer safety regarding weapons and illegal narcotics.

Opinion

PER CURIAM:

Defendant-Appellant Floyd Green, Jr. appeals his conviction for possessing with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1). On appeal, he argues the district court erred in denying his motion to suppress evidence obtained in the search of his vehicle because law enforcement impermissibly prolonged the traffic stop that led to his arrest. After careful review, we affirm.

I.

"A district court's denial of a motion to suppress involves mixed questions of law and fact." *United States v. Braddy*, 11 F.4th 1298, 1307 (11th Cir. 2021). "We review the district court's findings of fact for clear error and the district court's application of the law{2025 U.S. App. LEXIS 2} to those facts *de novo*." *Id.* Factual findings are construed in the light most favorable to the prevailing party. *Id.* We must accept the version of events adopted by the district court "unless it is contrary to the laws of nature, or is so inconsistent or improbable on its face that no reasonable factfinder could accept it." *United States v. Ramirez-Chilel*, 289 F.3d 744, 749 (11th Cir. 2002) (quotation mark omitted). We may affirm for any reason supported by the record, even if not relied upon by the district court. *United States v. Chitwood*, 676 F.3d 971, 975 (11th Cir. 2012).

II.

The Fourth Amendment protects against unreasonable searches and seizures. U.S. Const. amend. IV. Under the exclusionary rule, evidence cannot be used against a defendant in a criminal trial where that evidence was obtained via an encounter with law enforcement officers that violated the Fourth Amendment. *United States v. Perkins*, 348 F.3d 965, 969 (11th Cir. 2003). A traffic stop is a seizure within the meaning of the Fourth Amendment, "even if only for a brief period and for a limited purpose." *Whren v. United States*, 517 U.S. 806, 809-10, 116 S. Ct. 1769, 135 L. Ed. 2d 89 (1996). An officer only needs reasonable suspicion to justify an automobile stop that is based on a traffic violation. *Heien v. North Carolina*, 574 U.S. 54, 60, 135 S. Ct. 530, 190 L. Ed. 2d 475 (2014).

Police officers do not have unfettered authority to detain a person indefinitely at a lawful traffic stop. *United States v. Campbell*, 26 F.4th 860, 881 (11th Cir. 2022) (en banc). The detention must be limited in scope and duration, and officers must conduct any investigation diligently. *Id.* A traffic stop's scope "must{2025 U.S. App. LEXIS 3} be carefully tailored to its underlying justification." *Rodriguez v. United States*, 575 U.S. 348, 354, 135 S. Ct. 1609, 191 L. Ed. 2d 492 (2015) (quotation marks omitted). The seizure's mission determines what is a tolerable duration. *Id.* A stop is unlawful when it lasts longer than is necessary to complete its mission. *Id.* The mission is typically "to address the traffic violation that warranted the stop and attend to related safety concerns." *Id.* (citation omitted).

When an officer has already lawfully detained a driver, an additional intrusion into the driver's personal liberty is justified if it is outweighed by legitimate concerns for the officer's safety. See *Pennsylvania v. Mimms*, 434 U.S. 106, 111, 98 S. Ct. 330, 54 L. Ed. 2d 331 (1977). Officer safety is a "legitimate and weighty" justification, and traffic stops are not necessarily any less dangerous than other types of confrontations. *Id.* at 110. Even when there is nothing unusual or suspicious about a driver's behavior and the officer does not suspect foul play, an additional intrusion may be justified. See *id.* at 111. When officers engage in unrelated criminal on-scene investigation, however, these

officer safety interests and the state's interest in detecting crime differ in kind. *Rodriguez*, 575 U.S. at 356-57.

III.

As an initial matter, we agree with Green that the district court here erred in finding that because the officer had not{2025 U.S. App. LEXIS 4} yet completed a records check or written a citation when he asked about the weapons and narcotics, there was no prolongation of the traffic stop. See *Campbell*, 26 F.4th at 866. But the district court also found that the questions were permissible as related to officer safety. See *Mimms*, 434 U.S. at 110-11. Green argues that the district court erred in allowing the stop to be prolonged to ask questions related to officer safety, but we disagree. Green points to the Supreme Court's decision in *Rodriguez*, and our decisions in *Campbell* and *United States v. Boyce*, 351 F.3d 1102 (11th Cir. 2003), to support his argument, but the facts at issue here differ from the facts in those cases.

In *Rodriguez*, an officer pulled over a driver and his passenger shortly after midnight for a traffic violation. 575 U.S. at 351. The officer asked the men where they were coming from and where they were going; ran records checks on both men; and wrote a warning ticket for the traffic violation, which he gave to the driver with a verbal explanation. *Id.* at 351-52. At this point, the justification for the stop ceased, but the officer asked for permission to walk his dog around the vehicle. *Id.* at 352. The driver declined, and then the officer had the men turn off the car, exit the vehicle, and stand by the patrol car. *Id.* The officer took the dog twice around the vehicle, and{2025 U.S. App. LEXIS 5} the dog alerted to the presence of drugs. *Id.* A large bag of methamphetamine was recovered from the vehicle after a search was conducted. *Id.*

Seven to eight minutes had passed from the issuance of the warning ticket to the indication by the dog. *Id.* The Supreme Court acknowledged that, while traffic stops are dangerous for officers and officers may take precautions to complete a stop safely, safety precautions taken to facilitate unrelated criminal investigations are not permissible. *Id.* at 356-57. In addition, the Court rejected the government's argument that an officer could earn "bonus" time to pursue an unrelated criminal investigation so long as the officer was reasonably diligent, and the stop was of an overall reasonable duration. *Id.* at 357. We summarized the takeaway from *Rodriguez* in *Campbell* as follows:

The proper standard for addressing an unlawfully prolonged stop, then, is this: a stop is unlawfully prolonged when an officer, without reasonable suspicion, diverts from the stop's purpose and adds time to the stop in order to investigate other crimes. In other words, to unlawfully prolong, the officer must (1) conduct an unrelated inquiry aimed at investigating other crimes (2) that adds time to the stop (3) without{2025 U.S. App. LEXIS 6} reasonable suspicion. *Campbell*, 26 F.4th at 884 (citations omitted).

The traffic stop here is different from the one in *Rodriguez* because the stop and its purpose had not ceased when Officer Ragusa asked the questions at issue. See 575 U.S. at 352. Given the legitimate and weighty justification of protecting officer safety, Green's argument that related safety concerns must be limited to solely ensuring vehicles are operated safely and responsibly is unavailing. *Mimms*, 434 U.S. at 110. While Green's argument that the officer could have alternatively performed a pat down or ordered Green out of the truck for the window tint investigation may have some merit, the district court's explicit finding that questions about weapons and one reference to illegal narcotics are related to officer safety should not be disturbed by this court. See *Ramirez-Chilel*, 289 F.3d at 749. It is immaterial whether Officer Ragusa was reasonably diligent in completing his related tasks and inquiries as there can be no "bonus" awarded for unrelated inquiry. See *Rodriguez*, 575 U.S. at 357.

In *Campbell*, an officer pulled over a driver for crossing the fog line on the highway twice in short succession and having a rapidly blinking turn signal. 26 F.4th at 865. The officer determined that the turn signal was malfunctioning, so he decided to issue a warning and asked{2025 U.S. App. LEXIS 7} the driver to get out of the vehicle and follow him to the patrol car. *Id.* at 866. While working to issue the written warning, the officer and driver engaged in conversation at which point the officer asked the driver several questions, and the driver responded telling the officer his occupation, where he was traveling, that he had a previous DUI, and was not traveling with a firearm. *Id.* The officer then asked:

[Do you have] any counterfeit merchandise that you are taking to your relatives over there in Augusta? And what I mean by that is-any purses? Shoes? Shirts? Any counterfeit or bootleg CDs or DVDs or anything like that? Any illegal alcohol? Any marijuana? Any cocaine? Methamphetamine? Any heroin? Any ecstasy? Nothing like that? You don't have any dead bodies in your car?*Id.* at 866, 885 (alteration in original).

This set of questions, to which the driver responded no to each, took approximately 25 seconds in total. *Id.* at 866. We held that the set of questions related to contraband unlawfully prolonged the stop because they were unrelated to the traffic stop, but aimed at general crime and drug trafficking, and they added approximately 25 seconds to the stop. *Id.* at 885. However, *Campbell* did not create a total prohibition on asking{2025 U.S. App. LEXIS 8} about contraband. *See id.* at 885. The officer asked about a range of items, only some of which were illegal narcotics. *Id.* In asking about counterfeit clothing, shoes, etc., it was apparent that the officer was engaged in a parallel criminal investigation to the traffic stop. *See id.*

As in *Campbell* where the 25 seconds of questions that were found impermissible occurred while the officer was working to issue the driver a written warning, *see id.* at 866, here, Officer Ragusa was about to return to his patrol car to complete checking the database records when he asked about weapons, narcotics, and searched Green's truck. The district court found that the additional questioning took approximately eight seconds. However, Officer Ragusa was not engaged in a "fishing expedition" like we found improper in *Campbell*, but kept his questions limited to items that may be reasonably understood to be related to officer safety, primarily focusing on weapons, with minimal questioning on drugs.

Finally, in *Boyce*, we held that an officer asking a motorist during a stop about carrying contraband exceeded the permissible scope of the traffic stop. *See* 351 F.3d at 1111. Green argues, based on *Boyce*, that officers may not ask about the presence of drugs and weapons{2025 U.S. App. LEXIS 9} at a routine traffic stop without reasonable suspicion. However, in *Boyce*, we did not consider whether the questions about contraband were permissible as related to reasonable officer safety concerns because the officer "never testified that it was concern for his safety that prompted him to expand the scope of his questioning." *Id.* Here, on the other hand, the district court made its finding about officer safety central to its denial of the motion to suppress.

IV.

In this case, the questions about contraband did not unlawfully prolong the traffic stop as they were reasonably related to officer safety. Accordingly, we affirm.

AFFIRMED.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

Case Number: 8:23-cr-70-TPB-NHA

v.

USM Number: 50559-510

FLOYD HINTTEON GREEN, JR.

Samuel Landes, AFPD

JUDGMENT IN A CRIMINAL CASE

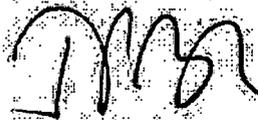
Defendant was found guilty as to Count One of the Indictment and is adjudicated guilty of the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
21 U.S.C. §§ 841(a)(1) & (b)(1)(A)	Possession with Intent to Distribute Fifty Grams or More of Methamphetamine	On or about December 28, 2022	One

Defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that Defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, Defendant shall notify the Court and United States Attorney of any material change in Defendant's economic circumstances.

Date of Imposition of Sentence: January 24, 2024



TOM BARBER
UNITED STATES DISTRICT JUDGE

Signed: January 24, 2024

IMPRISONMENT

Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **ONE HUNDRED and TWENTY (120) MONTHS**.

The Court makes the following recommendations to the Bureau of Prisons:

1. Incarceration at Coleman, Florida, to be near family.
2. Participate in RDAP for substance abuse.

Defendant is remanded into the custody of the U.S. Marshal to await designation by the Bureau of Prisons.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

UNITED STATES OF AMERICA, v. FLOYD HINTTEON GREEN, JR., Defendant.
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA, TAMPA DIVISION
2023 U.S. Dist. LEXIS 122740
Case No. 8:23-cr-70-TPB-MRM
July 17, 2023, Decided
July 17, 2023, Filed

Editorial Information: Subsequent History

Affirmed by United States v. Green, 2025 U.S. App. LEXIS 3856 (11th Cir. Fla., Feb. 20, 2025)

Counsel {2023 U.S. Dist. LEXIS 1} For Floyd Hintteon Green, Jr., Defendant:
Samuel Landes, LEAD ATTORNEY, Federal Public Defender's Office, Tampa, FL.
For USA, Plaintiff: David W.A. Chee, U.S. Department of
Justice, U.S. Attorney's Office MDFL, Tampa, FL USA; Samantha Joan Newman, USAO,
Tampa Division, Tampa, FL.

Judges: TOM BARBER, UNITED STATES DISTRICT JUDGE.

Opinion.

Opinion by: TOM BARBER

Opinion

ORDER DENYING DEFENDANT'S MOTION TO SUPPRESS AND REQUEST FOR EVIDENTIARY HEARING

This matter is before the Court on Defendant's "Motion to Suppress," filed by counsel on May 1, 2023. (Doc. 19). On May 30, 2023, the United States of America filed a response in opposition to the motion. (Doc. 25). On June 14, 2023, Defendant filed a reply. (Doc. 28). Because the facts are not contested, no hearing is required. As a result, Defendant's request for an evidentiary hearing (Doc. 20) is denied. After reviewing the motion, response, reply, court file, and the record, the Court finds as follows:

Background

The facts are undisputed and are captured almost entirely on police-worn body camera.¹ On December 28, 2022, law enforcement officers from the Winter Haven Police Department initiated a traffic stop based on the suspicion that the windows of Defendant Floyd Hintteon Green's {2023 U.S. Dist. LEXIS 2} truck were tinted too darkly. Officer Joey Ragusa informed Defendant of the reason for the stop and requested Defendant's license and registration.

Using a tint meter, Officer Ragusa confirmed the tint was too dark. After asking Defendant some questions about the state of his license, Officer Ragusa asked Defendant to remain in the vehicle. Before walking away, Officer Ragusa asked, "Is there anything in the truck we need to be concerned about? Guns, knives, grenades? Any illegal narcotics? Anything like that?" Defendant responded negatively. Officer Ragusa then asked for consent to search, which Defendant granted. As indicated on the body-camera recording, this questioning extended the duration of the stop by approximately eight seconds. Officer Ragusa returned to his patrol car with Defendant's license.

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Another officer reconfirmed Defendant's consent to search the truck and directed Defendant to get out of the vehicle. Detective Justin Shook found a black toiletry bag behind the seats, which contained an object roughly the size of a 500 ml soft drink bottle that was tightly wrapped in black duct tape. Detective Shook then stopped the search and directed officers to handcuff Defendant{2023 U.S. Dist. LEXIS 3} and his passenger. At this time, Officer Ragusa still had Defendant's license, and around twenty-one seconds after Defendant was handcuffed, Officer Ragusa went to his car to access traffic citation and driver's licensing databases, spending around one minute and eight seconds doing these tasks. Officer Ragusa confirmed the status of Defendant's license and told Defendant how to obtain a new physical license.

For the next thirty-six seconds, nothing happened. Then, an officer began a dog sniff of the truck, which lasted two minutes and forty-one seconds. The dog alerted to the presence of narcotics. Following the dog sniff, the officers resumed their search, including field testing the contents of the duct-taped item and obtaining a positive result for methamphetamine and fentanyl. An officer questioned Defendant, eliciting several incriminatory statements before arresting him. After waiving his *Miranda* rights, Defendant agreed to be interviewed at the police station and admitted to knowing that there was approximately a pound of narcotics in his truck. He also made statements indicating that he had the drugs for a couple of days, and that he had previously served ten years in Florida{2023 U.S. Dist. LEXIS 4} State Prison for narcotics offenses. Defendant admitted to being a drug dealer and selling methamphetamine for about \$2,600 per pound.

In his motion, Defendant challenges the legality of the traffic stop, arguing that the officers unlawfully prolonged the stop when Officer Ragusa asked him the questions about whether he had weapons or narcotics in the truck. Defendant specifically contends that because the Fourth Amendment does not provide a *de minimis* exception allowing police to extend the duration of a traffic stop beyond the reason for the stop, the seizure was unreasonable. Defendant requests that the Court suppress all evidence derived from the search of the vehicle.

Legal Standard

"The Fourth Amendment prohibits 'unreasonable searches and seizures' by the Government, and its protections extend to brief investigatory stops of persons or vehicles that fall short of traditional arrest." *United States v. Arvizu*, 534 U.S. 266, 273, 122 S. Ct. 744, 151 L. Ed. 2d 740 (2002). "[A] decision to stop an automobile is reasonable where the police have probable cause to believe that a traffic violation occurred . . . and an officer's motive in making the traffic stop does not invalidate what is otherwise objectively justifiable behavior under the Fourth Amendment." *United States v. Simmons*, 172 F.3d 775, 778 (11th Cir. 1999) (citing *Whren v. United States*, 517 U.S. 690, 699, 116 S. Ct. 1657, 134 L. Ed. 2d 911 (1996)). "[T]he tolerable duration of police inquires{2023 U.S. Dist. LEXIS 5} in the traffic-stop context is determined by the seizure's 'mission'-to address the traffic violation that warranted the stop [...] and attend to related safety concerns." *Rodriguez v. United States*, 575 U.S. 348, 354, 135 S. Ct. 1609, 191 L. Ed. 2d 492 (2015) (internal citations omitted). When the tasks tied to the traffic infraction are or should have been completed, authority for the seizure ends. *Id.*

Analysis

The parties do not dispute whether the initial traffic stop, based on illegal window tinting, was permissible - it undoubtedly was. Instead, the disagreement centers on whether the officer's questions concerning weapons and narcotics unreasonably prolonged the stop.² Defendant relies heavily on *United States v. Campbell*, 26 F.4th 860 (11th Cir. 2022), to argue that any questioning that is not directly related to the purpose of a traffic stop renders the seizure unreasonable.

Police officers may not detain a suspect indefinitely when conducting a traffic stop - the stop must be "limited in scope and duration." *Florida v. Royer*, 460 U.S. 491, 500, 103 S. Ct. 1319, 75 L. Ed. 2d 229 (1983); see *Rodriguez*, 575 U.S. at 354-56. In addition to determining whether to issue a citation, an officer may conduct ordinary inquiries during a traffic stop, such as "checking the driver's license, determining whether there are outstanding warrants against the driver, and inspecting the automobile's registration and proof of insurance." {2023 U.S. Dist. LEXIS 6} *Id.*; *United States v. Vargas*, 848 F.3d 971, 974 (11th Cir. 2017) (quoting *Rodriguez*). At the time Officer Ragusa asked the questions about weapons and requested consent to search, Officer Ragusa had requested Defendant's driver's license (an ordinary inquiry related to the traffic stop) but had not yet completed a records check or written a citation. Because Officer Ragusa had not yet completed his duties related to the traffic stop, there was no unlawful prolongation. See, e.g., *United States v. Keith*, No. CR 120-072, 2021 U.S. Dist. LEXIS 249938, 2021 WL 6340985, at *5 (S.D. Ga. Dec. 2, 2021), report and recommendation adopted, 2022 U.S. Dist. LEXIS 4599, 2022 WL 95287 (S.D. Ga. Jan 10, 2022) ("[O]fficers are permitted to ask for consent to search so long as the question is posed while active progress is being made to complete the traffic stop."); *United States v. Coleman*, No. 7:23-cr-00233-LSC-SGC, 2022 U.S. Dist. LEXIS 201978, 2022 WL 17548610, at *5 (N.D. Ala. Aug. 4, 2022), report and recommendation adopted, 2022 U.S. Dist. LEXIS 201327, 2022 WL 16708447 (N.D. Ala. Nov. 4, 2022) (explaining that if officer had requested consent to search while completing tasks related to the mission of the stop in a reasonably diligent manner, unrelated questioning would not have added time to the duration of the stop and would have therefore been permissible).

As he performed his routine traffic-related tasks, Officer Ragusa spent approximately *eight seconds* asking Defendant questions primarily related to the presence of weapons. Officers are permitted to address legitimate safety concerns by asking about the presence of weapons. See, {2023 U.S. Dist. LEXIS 7} e.g., *Rodriguez*, 757 U.S. at 354; *United States v. Braddy*, 11 F.4th 1298, 1310 (11th Cir. 2021); *United States v. Harris*, No. 2:22-cr-67-SPC-KCD, 2023 U.S. Dist. LEXIS 70179, 2023 WL 3043647, at *4 (M.D. Fla. Apr. 21, 2023). As such, Officer Ragusa's questions did not unlawfully prolong the stop because they addressed a very legitimate officer safety concern.

Officer Ragusa was not asking wholly unrelated questions aimed at investigating other crimes without reasonable suspicion, like the questions posed by the officer in *Campbell*. See *Campbell*, 26 F.4th at 885.3 The questions here primarily involved the presence of weapons, although Officer Ragusa very briefly mentioned "illegal narcotics." The officer's mere reference to "illegal narcotics" is insufficient to change the outcome here. First, the question about illegal narcotics is also related to officer safety since exposure to certain narcotics may present a risk to officers, including potential adverse health effects. See *Fentanyl: Emergency Responders at Risk*, Centers for Disease Control and Prevention, February 11, 2020, <https://www.cdc.gov/niosh/topics/fentanyl/risk.html>; Sophia K. Chiu, MD, MPH, *Law Enforcement Officers' Health Effects from Exposure to Opioids: Two Case Investigations*, Centers for Disease Control and Prevention, June 27, 2019, <https://blogs.cdc.gov/niosh-science-blog/2019/06/27/leo-opioids/>. Second, even if the question related to illegal narcotics {2023 U.S. Dist. LEXIS 8} was arguably unrelated to officer safety, the focus of Officer Ragusa's inquiry was clearly on weapons, and the mere mention of narcotics does not render the entirety of the seizure unlawful.

For these reasons, the motion to suppress is denied.

DONE and ORDERED in Chambers, in Tampa, Florida this 17th day of July, 2023.

/s/ Tom Barber

TOM BARBER

Amendment 4 Unreasonable searches and seizures.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

NOTES TO DECISIONS

Analysis

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-10274

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

FLOYD HINTTEON GREEN, JR.,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:23-cr-00070-TPB-NHA-1

JUDGMENT

2

24-10274

It is hereby ordered, adjudged, and decreed that the opinion issued on this date in this appeal is entered as the judgment of this Court.

Entered: February 20, 2025

For the Court: DAVID J. SMITH, Clerk of Court

ISSUED AS MANDATE: September 24, 2025