

APPENDIX

APPENDIX A: Unpublished decision of the Ninth Circuit, filed

December 3, 2025

United States v. Mickey

United States Court of Appeals for the Ninth Circuit

February 6, 2026, Filed

No. 24-6478

Reporter

2026 U.S. App. LEXIS 3834 *; 2026 LX 89956

UNITED STATES OF AMERICA, Plaintiff - Appellee, v. WILLIE DWAYNE MICKEY,
Defendant - Appellant.

Prior History: [*1] D.C. No. 3:15-cr-01201-BTM-1. Southern District of California, San Diego.

[United States v. Mickey, 2025 U.S. App. LEXIS 31417, 2025 WL 3470023 \(Dec. 3, 2025\)](#)

Counsel: Mark R. Rehe, Assistant U.S. Attorney, Mark R. Rehe, Assistant U.S. Attorney, Mr. Daniel Earl Zipp, Assistant U.S. Attorney, Mrs. Janet Cabral, Assistant U.S. Attorney, Office of the U.S. Attorney, San Diego, CA; Ms. Alessandra Serano, Assistant U.S. Attorney, Office of the U.S. Attorney, Alexandria, VA.

WILLIE DWAYNE MICKEY, Defendant - Appellant: Sydney J. Rusch, Trial Attorney, David R. Silldorf, Law Offices of David R. Silldorf, APC, San Diego, CA.

Judges: Before: WARDLAW and MILLER, Circuit Judges¹.

Opinion

ORDER

Judges Wardlaw and Miller have unanimously voted to deny the petition for panel rehearing and the petition for rehearing en banc. The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 40. The petition for panel rehearing and rehearing en banc, Dkt. 52, is **DENIED**.

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¹ Judge Sandra S. Ikuta, who died on December 7, 2025, was originally a member of this panel. Judge Wardlaw and Judge Miller issued this order as a two-judge quorum. See 28 U.S.C. § 46(d); 9th Cir. Gen. Ord. 3.2(h)