

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Appearance of Counsel

Appeal No.: **26-3509**

Case Title: **In Re: Delores Knight**

vs.

List all clients you represent in this appeal:

United States of America

☐ Appellant
☒ Appellee

☐ Petitioner
☒ Respondent

☐ Amicus Curiae
☐ Intervenor

☐ Criminal Justice Act
(Appointed)

- ☐ Check if a party is represented by more than one attorney.
☒ Check if you are lead counsel.

If you are substituting for another counsel, include that attorney's name here:

N/A

By filing this form, I certify my admission and/or eligibility to file in this court.

Attorney Name: **Matthew B. Kall, AUSA**

Signature: s/ **Matthew B. Kall**

Firm Name: **Office of the United States Attorney**

Business Address: **United States Courthouse, 801 W. Superior Avenue, Suite 400**

City/State/Zip: **Cleveland, Ohio 44113**

Telephone Number (Area Code): **(216) 622-3915**

Email Address: **Matthew.B.Kall@usdoj.gov**

Please ensure your contact information above matches your PACER contact information. If necessary, update your PACER account.

CERTIFICATE OF SERVICE

The electronic signature above certifies that all parties or their counsel of record have been electronically served with this document as of the date of filing.

IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

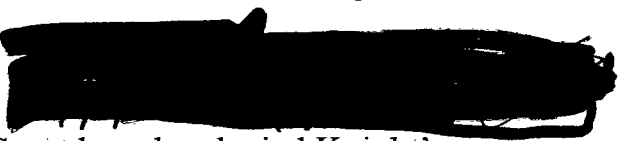
IN RE: DELORES L. KNIGHT,) CASE NO.: 26-3509
)
Movant)
)
v.)
)
UNITED STATES OF AMERICA,) MOTION TO CONSOLIDATE
)
Respondent.)
)

Respondent United States of America, through undersigned counsel, respectfully requests that this Court consolidate this case with *In Re Delores L. Knight*, Case Number 26-3326, currently pending before this Court.

Knight was convicted of conspiracy to commit health care fraud, health care fraud, and money laundering in 2017. The district court sentenced her to 120 months of imprisonment and ten years of supervised release. (R. 153: Judgment, PageID 1091-98). This Court affirmed her convictions and sentence. *United States v. Knight*, 756 F. App'x 571 (6th Cir. 2018).

In 2020, the district court denied Knight's Section 2255 motion and denied a certificate of appealability. *Knight v. United States*, No. 1:15 CR 222, 2020 WL 2476005 (N.D. Ohio May 13, 2020). This Court also denied her motion for a certificate of appealability. *Knight v. United States*, No. 20-3616

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(6th Cir. Mar. 3, 2021) (Doc. 11-2). This Court has also denied Knight's previous requests for permission to file a second or successive Section 2255 Motion. *Knight v. United States*, No. 23-4010, Doc 7-1; *In re: Delores Knight*, Case No. 25-3995, Doc. 8

Knight's current petition is the same as another that is pending in this Court, in the matter of *In Re Delores L. Knight*, Case Number 26-3326. The only differences are the dates that the petitions were signed, and the order in which the pages in the petition were organized. The government recently filed its response to Knight's petition in Case No. 26-3326. To make efficient use of this Court's resources, and prevent needless duplication of efforts, the government respectfully moves to consolidate this matter with the other.

Respectfully submitted,

DAVID M. TOEPFER
United States Attorney

By: /s/ Matthew B. Kall
Matthew B. Kall (NY: 3003738)
Assistant United States Attorney
United States Court House
801 West Superior Ave., Suite 400
Cleveland, OH 44113
(216) 622-3915
(216) 522-7358 (facsimile)
Matthew.B.Kall@usdoj.gov

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**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Kelly L. Stephens
Clerk

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: April 15, 2026

Ms. Delores L. Knight
3891 E. 146th Street
Cleveland, OH 44128

NOTICE

Re: Case No. 26-3326
In re: Delores Knight
Originating Case No. 1:26-cv-008681:15-cr-00222-1

Dear Movant,

The district court has transferred your case for this court to determine whether to grant you permission to file a second or successive habeas petition or motion to vacate. In order for the Court to consider your case, you need to satisfy certain obligations under Sixth Circuit Rule 22.

You must complete and return to the Clerk's office the attached application form by May 18, 2026; instructions are contained in the form. If you do not return the form or attach the documents required, this proceeding may be dismissed. The form will be deemed filed once it has been given to prison authorities for mailing and you have satisfied the verification requirements of Fed. R. App. P. 25(a)(2)(c).

Sincerely yours,

s/Kelly Stephens
Appeal Case Manager: Roy
Direct Dial No. 513-564-7016

cc: Mr. Matthew B. Kall

Enclosure

Appendix-A 1 of 2

Case No. 26-3326/26-3509

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ORDER

In re: DELORES L. KNIGHT

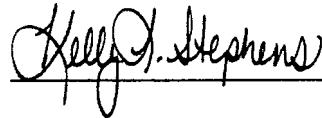
Movant

The court having determined that consolidation of the above causes for the purpose of submission is appropriate,

It is **ORDERED** that the causes be and they hereby are consolidated for the purpose stated above.

**ENTERED PURSUANT TO RULE 45(a),
RULES OF THE SIXTH CIRCUIT**
Kelly L. Stephens, Clerk

Issued: June 11, 2026



Appendix-H 2 of 2

U.S. Postal Service
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OFFICIAL USE

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee if appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$4.00

Total Postage and Fees \$9.30

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Street and Apt. No., or PO Box No. *801 West Superior Ave*
City, State, ZIP+4® *Cleveland OH 44113*

PS Form 3800, April 2015

Intend Name: *Houlihan* C. Date of Delivery: *12/18/25*

Is different from item 1? ☐ Yes ☒ No

Every address below: ☐ Yes ☒ No

Mark Bennett

☐ Priority Mail Express
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

This copy of 2255 Motion when processed office 12/08/2022

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee if appropriate)

☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$3.00

Total Postage and Fees \$12.70

Sent To *Clerk of Court*
Street and Apt. No., or PO Box No. *801 West Superior Ave*
City, State, ZIP+4® *Cleveland OH 44113*

PS Form 3800, April 2015

Intend Name: *Houlihan* C. Date of Delivery: *12/18/25*

Is different from item 1? ☐ Yes ☒ No

Every address below: ☐ Yes ☒ No

12/06/2025

☐ Priority Mail Express
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

This copy of 2255 Motion when to Clerk of Court District

Appendix-I

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Kelly L. Stephens
Clerk

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: April 30, 2026

Ms. Delores L. Knight
3891 E. 146th Street
Cleveland, OH 44128

NOTICE

Re: Case No. 26-3326
In re: Delores Knight
Originating Case No. 1:26-cv-008681:15-cr-00222-1

Dear Movant, You must fill out this form for the court to process your case. If forms are unnecessary for this case. Please return this form by the date noted below.

The court received your motion for permission to file a second or successive habeas application for relief under the Antiterrorism and Effective Death Penalty Act, 28 U.S.C. § 2244. You have not satisfied the obligations pursuant to Sixth Circuit Rule 22.

Instructions for filing a motion are attached. You are required to complete and return the document by May 28, 2026.

If the required documents are not filed, the case will be dismissed. The documents are deemed filed once they have been given to prison authorities for mailing and you have satisfied the verification requirements of Federal Rule of Appellate Procedure 25(a)(2)(c).

Sincerely yours,

s/Kelly Stephens
Appeal Case Manager: Roy
Direct Dial No. 513-564-7016

cc: Mr. Matthew B. Kall

Enclosure

Appendix J

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United States Court of Appeals for the Sixth Circuit

U.S. Mail Notice of Docket Activity

The following transaction was filed on 06/11/2026.

Case Name: In re: Delores Knight

Case Number: 26-3326

Docket Text:

ORDER filed granting motion to consolidate cases 26-3326 and 26-3509 for submission [7544757-2] filed by Mr. Matthew B. Kall. . [26-3326, 26-3509]

The following document(s) are associated with this transaction:

Document Description: Order

Notice will be sent to:

Ms. Delores L. Knight
3891 E. 146th Street
Cleveland, OH 44128

A copy of this notice will be issued to:

Mr. Christian Marc Capece
Mr. Matthew B. Kall

Appendix-K

**Additional material
from this filing is
available in the
Clerk's Office.**