

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-3097**September Term, 2022****1:03-cr-00331-CKK-13****Filed On:** March 16, 2023

United States of America,

Appellee

v.

Eliu Elixander Lorenzana-Cordon,

Appellant

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Pillard, Childs, and Pan, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the memoranda of law and fact filed by the parties. The court has determined that the issues presented occasion no need for an opinion. See D.C. Cir. Rule 36. Upon consideration of the foregoing and the motion to proceed on appeal in forma pauperis, it is

ORDERED that the motion to proceed on appeal in forma pauperis be dismissed as moot. See Fed. R. App. P. 24(a)(3). It is

FURTHER ORDERED AND ADJUDGED that the district court's November 17, 2022 order be affirmed. The district court did not clearly err in concluding that appellant failed to show exceptional circumstances warranting his release pending the resolution of his proceedings under 28 U.S.C. § 2255. See United States v. Kelly, 790 F.2d 130, 139 (D.C. Cir. 1986).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after the

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-3097

September Term, 2022

resolution of any timely petition for rehearing or petition for rehearing en banc. See
Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk