

In the
United States Court of Appeals
for the Second Circuit

August Term 2025
Decided: January 21, 2026

No. 24-827

DAVID C. LETTIERI,
Plaintiff-Appellant,
v.
TOWN OF COLESVILLE,
Defendant-Appellee.

Appeal from the United States District Court
for the Western District of New York
No. 23-cv-519, Lawrence J. Vilardo, *District Judge.*

Before: Jacobs, Pérez, and Kahn, *Circuit Judges.*

PER CURIAM:

This Court imposed a leave-to-file sanction on Appellant on July 9, 2024. 2d Cir. 24-318, doc. 21 (7/9/2024 Or.). The sanction order directs that the Clerk of Court “shall refuse to accept for filing from the Appellant any future appeal or other proceeding in this Court unless he first obtains leave of the Court to file such

appeal or proceeding.” *Id.* Appellant’s current motion to recall the mandate constitutes a “proceeding” under the sanction order. For the avoidance of doubt, Appellant must obtain leave of the Court to make any new filings in his existing cases, including those cases filed prior to the issuance of the sanction order. It is hereby ORDERED that the motion for leave to file is DENIED and the motion to recall the mandate is DENIED as moot.