

**ACMS Docket Report**  
**United States Court of Appeals for the Second Circuit**

<b>Court of Appeals Docket #:</b> 23-6964 United States of America v. Wenke <b>Appeal From:</b> WDNY (BUFFALO) <b>Fee Status:</b> IFP Granted	<b>Docketed:</b> 08/24/2023 <b>Termed:</b> 11/02/2023								
<b>Case Type Information:</b> 1) Criminal 2) Direct Criminal 3)									
<b>Originating Court Information:</b> <b>District:</b> WDNY (BUFFALO) : <a href="#">1:22-cr-35-1</a> <b>Trial Judge:</b> John L. Sinatra, Jr., District Judge <b>Magistrate Judge:</b> H. Kenneth Schroeder, Jr., Magistrate Judge <b>Date Filed:</b> 03/15/2023 <table style="width: 100%; border: none;"><tr><td style="width: 25%;"><b>Date Order/Judgment:</b></td><td style="width: 25%;"><b>Date Order/Judgment EOD:</b></td><td style="width: 25%;"><b>Date NOA Filed:</b></td><td style="width: 25%;"><b>Date Rec'd COA:</b></td></tr><tr><td>08/14/2023</td><td>08/14/2023</td><td>08/22/2023</td><td>08/22/2023</td></tr></table>		<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>	08/14/2023	08/14/2023	08/22/2023	08/22/2023
<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>						
08/14/2023	08/14/2023	08/22/2023	08/22/2023						
<b>Prior Cases:</b> None									
<b>Current Cases:</b> None									
UNITED STATES OF AMERICA AppelleeUSA	Tiffany H. Lee, Assistant United States Attorney [US Attorney] United States Attorney's Office for the Western District of New York 138 Delaware Avenue Buffalo, NY 14202								
LUKE MARSHALL WENKE Defendant - Appellant	Jay Samuel Ovsiovitch, - Direct: 585-263-6201 [Federal Public Defender] Federal Public Defender's Office Western District of New York Firm: 585-263-6201 28 East Main Street Rochester, NY 14614								

United States of America,

Appellee,

v.

Luke Marshall Wenke,

Defendant - Appellant.

- 8/22/2023  [1](#) NOTICE OF CRIMINAL APPEAL, with district court docket, on behalf of Appellant Luke Marshall Wenke, FILED. [Entered: 08/24/2023 10:12 AM]  
12 pg. 288 KB
- 8/22/2023  [2](#) DISTRICT COURT JUDGMENT, dated 08/14/2023, RECEIVED. [Entered: 08/24/2023 10:16 AM]  
5 pg. 279 KB
- 8/28/2023  [3](#) ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellee United States of America, FILED. Service date 08/28/2023 by ACMS. [Entered: 08/28/2023 10:22 AM]  
1 pg. 92 KB
- 8/29/2023  [4](#) ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellant Luke Marshall Wenke, FILED. Service date 08/29/2023 by ACMS. [Entered: 08/29/2023 10:55 AM]  
1 pg. 104 KB
- 8/29/2023  [5](#) FORM B, on behalf of Appellant Luke Marshall Wenke, FILED. Service date 08/29/2023 by ACMS. [Entered: 08/29/2023 10:56 AM]  
1 pg. 80 KB
- 9/5/2023  [6](#) ELECTRONIC INDEX, in lieu of record, FILED. [Entered: 09/05/2023 08:45 AM]  
23 pg. 566 KB
- 9/18/2023  [7](#) NEW CASE MANAGER, Jessica Mckenzie, ASSIGNED. [Entered: 09/18/2023 02:48 PM]  
1 pg. 126 KB
- 10/12/2023  [8](#) LR 31.2 SCHEDULING NOTIFICATION, on behalf of Appellant Luke Marshall Wenke, informing Court of proposed due date 01/11/2024, RECEIVED. Service date 10/12/2023 by ACMS. [Entered: 10/12/2023 10:55 AM]  
1 pg. 160 KB
- 10/12/2023  [9](#) SO-ORDERED SCHEDULING NOTIFICATION, setting Appellant Luke Marshall Wenke brief due date as 01/11/2024. Joint Appendix due 01/11/2024, FILED. [Entered: 10/12/2023 01:04 PM]  
1 pg. 132 KB
- 11/1/2023  [10](#) MOTION, to withdraw appeal, on behalf of Appellant Luke Marshall Wenke, FILED. Service date 11/01/2023 by ACMS. [Entered: 11/01/2023 03:32 PM]  
29 pg. 2,123 KB
- 11/2/2023  [11](#) NEW CASE MANAGER, Atasha Joseph, ASSIGNED. [Entered: 11/02/2023 10:31 AM]  
1 pg. 125 KB
- 11/2/2023  [12](#) MOTION ORDER, granting MOTION, to withdraw appeal, at docket entry 10, on behalf of Appellant Luke Marshall Wenke, FILED. [Entered: 11/02/2023 10:41 AM]  
1 pg. 173 KB
- 11/2/2023  [13](#) CERTIFIED COPY OF ORDER, dated 11/02/2023, determining the appeal to WDNY, ISSUED.[Mandate] [Entered: 11/02/2023 10:50 AM]  
1 pg. 792 KB
- 3/11/2025  [14](#) PAPERS, on behalf of Appellant Luke Marshall Wenke, RECEIVED. [Entered: 03/17/2025 05:04 PM]  
5 pg. 2,794 KB
- 3/17/2025  [15](#) PRO SE DOCUMENTS, to attorney Jay Samuel Ovsiovitch, SENT. [Entered: 03/17/2025 05:13 PM]  
6 pg. 3,045 KB
- 3/18/2025  [16](#) PAPERS, on behalf of Appellant Luke Marshall Wenke, RECEIVED. [Entered: 03/18/2025 04:30 PM]  
6 pg. 4,578 KB
- 3/18/2025  [17](#) PRO SE DOCUMENTS, to attorney Jay Samuel Ovsiovitch, SENT. [Entered: 03/18/2025 04:36 PM]  
7 pg. 4,823 KB
- 4/2/2025  [18](#) PAPERS, on behalf of Appellant Luke Marshall Wenke, RECEIVED. [Entered: 04/02/2025 02:20 PM]  
3 pg. 1,552 KB
- 4/2/2025  [19](#) PRO SE DOCUMENTS, to attorney Jay Samuel Ovsiovitch, SENT. [Entered: 04/02/2025 02:26 PM]

4 pg. 1,818 KB

4/30/2025

[20](#)

5 pg. 2,921 KB

LETTER, received 04/30/2025, on behalf of Appellant Luke Marshall Wenke, RECEIVED. Service date 04/23/2025 by United States Mail. [Entered: 05/22/2025 03:09 PM]

5/22/2025

[21](#)

6 pg. 3,113 KB

PRO SE DOCUMENTS, to attorney Jay Samuel Ovsiovitch, SENT. [Entered: 05/22/2025 03:15 PM]