

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

July 23, 2009

No. 06-4536

Paul Kamienski,  
Appellant

v.

Roy L. Hendricks, et al

(D.N. J. 02-cv-03091)

Present: MCKEE, SMITH and VAN ANTWERPEN, Circuit Judges

- 1) Motion by Appellee to Stay the Mandate Which the Court May Wish to Construe as a Motion to Recall the Mandate;
- 2) Response in Opposition by Appellant to Appellee's Motion to Stay the Mandate.
- 3) Reply by Appellee to Response in Opposition to Appellee's Motion to Stay the Mandate.

**Mandate Issued 7/10/09.**

/s/Tina Koperna  
Case Manager 267-299-4930

**ORDER**

The foregoing Motion by Appellee to Stay the Mandate Which the Court May Wish to Construe as a Motion to Recall the Mandate is hereby DENIED.

**By the Court,**

/s/ Theodore A. McKee  
**Circuit Judge**

**Dated:** July 24, 2009

PDB/cc: Timothy J. McInnis, Esq.  
Samuel J. Marzarella, Esq.