

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**
THURGOOD MARSHALL UNITED STATES COURTHOUSE
40 FOLEY SQUARE
NEW YORK, NEW YORK 10007
212-857-8500

DENNIS JACOBS
CHIEF JUDGE

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

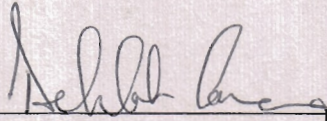
July 30, 2012

Eliot Ivan Bernstein
2753 N.W. 34th Street
Boca Raton, FL 33434-3459

Dear Mr. Bernstein:

Your motion to remand and rehear your appeal, *Eliot I. Bernstein v. Appellate Division First Department Departmental*, et al, 08-4873-cv, was sent to this office for response. Unfortunately, your motion cannot be granted. Your case was mandated and closed on January 27, 2012. This Court does not have jurisdiction over any matter not currently before it. I am returning your motion.

Very truly yours,
Catherine O'Hagan Wolfe, Clerk of Court

By: 
Delilah Carmona, Deputy Clerk

Enclosure: As Stated