

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

Court of Appeals Docket #: 23-6964 United States of America v. Wenke Appeal From: WDNY (BUFFALO) Fee Status: IFP Granted		Docketed: 08/24/2023 Termed: 11/02/2023								
Case Type Information: 1) Criminal 2) Direct Criminal 3)										
Originating Court Information: District: WDNY (BUFFALO) : 1:22-cr-35-1 Trial Judge: John L. Sinatra, Jr., District Judge Magistrate Judge: H. Kenneth Schroeder, Jr., Magistrate Judge Date Filed: 03/15/2023 <table style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 25%;">Date Order/Judgment:</td> <td style="width: 25%;">Date Order/Judgment EOD:</td> <td style="width: 25%;">Date NOA Filed:</td> <td style="width: 25%;">Date Rec'd COA:</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>			Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:	08/14/2023	08/14/2023	08/22/2023	08/22/2023
Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:							
08/14/2023	08/14/2023	08/22/2023	08/22/2023							
Prior Cases: None Current Cases: 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](#) 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 pg. 2,921 KB
- 5/22/2025 ☐ [21](#) PRO SE DOCUMENTS, to attorney Jay Samuel Ovsiovitch, SENT. [Entered: 05/22/2025 03:15 PM]
6 pg. 3,113 KB
- 3/30/2026 ☐ [22](#) PAPERS, on behalf of Appellant Luke Marshall Wenke, RECEIVED. [Entered: 03/31/2026 11:51 AM]
4 pg. 2,389 KB
- 3/31/2026 ☐ [23](#) PRO SE DOCUMENTS, to attorney Jay Samuel Ovsiovitch, SENT. [Entered: 03/31/2026 11:56 AM]
1 pg. 176 KB