

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 15 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

NIKISHNA POLEQUAPTEWA, AKA
Nikishna Numkina Myron, AKA Nikishua
Numkina Myron, AKA Nikishna Numkina
Polequaptewa,

Defendant-Appellant.

No. 19-50231

D.C. No.

8:16-cr-00036-CJC-1

Central District of California,
Santa Ana

ORDER

Before: W. FLETCHER and BYBEE, Circuit Judges.

Appellant's motion for bail pending appeal (Docket Entry No. 27) is denied.

Appellant has not shown that the appeal raises a "substantial question" of law or fact that is "fairly debatable," and that "if that substantial question is determined favorably to defendant on appeal, that decision is likely to result in reversal or an order for a new trial of all counts on which imprisonment has been imposed," or a sentence that does not include a term of imprisonment, or a reduced sentence to a term of imprisonment less than the total of the time already served plus the expected duration of the appeal process. *United States v. Handy*, 761 F.2d 1279, 1283 (9th Cir. 1985); *see also* 18 U.S.C. § 3143(b).

The briefing schedule established previously remains in effect.