

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-12651
Non-Argument Calendar

D.C. Docket No. 8:17-cr-00555-SCB-AEP-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ASHANTI ROUNDTREE,

Defendant-Appellant.

Appeal from the United States District Court
for the Middle District of Florida

(May 15, 2020)

Before JORDAN, NEWSOM and LAGOA, Circuit Judges.

PER CURIAM:

Thomas Burns, appointed counsel for Ashanti Roundtree in this direct

criminal appeal, filed a motion to withdraw on appeal, supported by a brief prepared under *Anders v. California*, 386 U.S. 738 (1967). We denied Burns's motion based on potential violations of *Rehaif v. United States*, 139 S. Ct. 2191, 2195 (2019). Burns has now filed a motion for reconsideration of that denial in light of our decision in *United States v. Moore*, 954 F.3d 1322 (11th Cir. 2020) and for leave to file that motion out of time. Roundtree, *pro se*, has also filed a motion to appoint new counsel.

Burns submitted a response to Roundtree's motion to appoint new counsel by letter dated April 14, 2020, and requested that the letter be filed *ex parte* because it contains confidential discussions of his work product and attorney-client communications. Burns's letter is construed as a motion for leave to file his letter *ex parte* and is GRANTED. Burns's letter will not appear on this Court's public docket.

Burns's motion to file out of time a motion for reconsideration of our denial of his *Anders* motion is GRANTED. Because independent review of the record reveals no issues of arguable merit regarding the *Rehaif* errors that could be raised on appeal, or any other issues of arguable merit, Burns's motion for reconsideration and his motion to withdraw are also GRANTED. Roundtree's convictions and sentence are AFFIRMED. Roundtree's *pro se* motion to substitute counsel is therefore DENIED as moot.