

✓

# United States Court of Appeals For the First Circuit

No. 01-1323

UNITED STATES,  
Appellee,

v.

ALFRED W. TRENKLER,  
Defendant, Appellant.

---

Before

Torruella, Chief Judge,  
Campbell, Senior Circuit Judge,  
and Stahl, Circuit Judge.

---

JUDGMENT

Entered: April 6, 2001

This appeal is dismissed for lack of jurisdiction. We have held in United States v. Heller, 957 F.2d 26, 31 (1<sup>st</sup> Cir. 1992), that "reliance on the advice, statements, or actions of court employees cannot trigger the [unique circumstances] doctrine, whether appellant is or is not pro se." Heller is not an old case, and counsel does not point to any radical shift in the case law of other circuits, or of the Supreme Court, which would lead a panel of this court to depart from earlier circuit precedent. Accordingly, we adhere to our view expressed in Heller.

By the Court:

~~TOBEA MOHSE~~  
Clerk.

[ Cert Copy to Judge Harrington and Tony Anastas, Clerk, DCMA ]  
cc: Messrs. Goldings, Sultan, Rankin, McGrath and Chaitowitz ]