

United States Court of Appeals For the First Circuit

No. 16-6001

UNITED STATES OF AMERICA,

Appellee,

v.

DZHOKHAR A. TSARNAEV,

Defendant, Appellant.

Before

Kayatta, Howard, and Thompson,
Circuit Judges.

ORDER OF COURT
Entered: March 21, 2024

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

The district court's ruling denying Dzhokhara Tsarnaev's motion to strike for cause Jurors 138 and 286 is vacated, and matter is remanded to the district court for further proceedings consistent with the opinion issued this day.

This court retains jurisdiction to conclude the appeal after the district court on remand has ruled on the motion to strike. See Fed. R. App. P. 12.1. The parties shall notify the Clerk of this court when the district court has decided the motion on remand in accordance with Fed. R. App. P. 12.1(b).

By the Court:

Maria R. Hamilton, Clerk

cc: Hon. George A. O'Toole, Robert Farrell, Clerk, United States District Court for the District of Massachusetts, Judy Clarke, Gail K. Johnson, Deirdre von Dornum, Daniel Habib, David Patton, Clifford Gardner, Ginger D. Anders, Mia Alyssa Eisner-Grynberg, Donald Campbell Lockhart, Joseph Francis Palmer, Nadine Pellegrini, William A. Glaser, Steven D. Mellin, Matthew R Segal,

Jonathan M. Albano, Emma D. Hall, John Remington Graham, David A. Ruhnke, Michael J. Iacopino, Benjamin Silverman, Megan Wall-Wolff, George H. Kendall III, Timothy P. O'Toole, Jason Kapinos