

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

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June 18, 2019

Hannah Connor
Center for Biological Diversity
PO BOX 2155
ST PETERSBURG, FL 33731

Appeal Number: 19-12291-Q
Case Style: In re: Fotini Duncombe, et al
District Court Docket No: 1:16-cr-20897-PAS-1

The enclosed order has been entered. No further action will be taken in this matter.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: CaCelia Williams, Q
Phone #: (404) 335-6190

Enclosure(s)

DIS-4 Multi-purpose dismissal letter

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-12291-Q

In re: FOTINI TSAVOUSIS DUNCOMBE,
THEODORE THOMA,
ERIC FORRER,
RONN BUSHMANN,

Petitioners.

On Petition for Writ of Mandamus from the United States
District Court for the Southern District of Florida

BEFORE: WILLIAM PRYOR, ROSENBAUM, and BRANCH, Circuit Judges.

BY THE COURT:

Before the Court is the Petition for Writ of Mandamus Pursuant to the Crime Victims' Rights Act, 18 U.S.C. § 3771(d)(3). After review of the petition, the responses, and the record, we DENY the petition. The district court denied relief under the Crime Victims' Rights Act ("CVRA") because it found that the petitioners were not crime victims under the CVRA. (*See* June 3, 2019 Hearing Transcript at 11:9–15.) In response to the petition, the district court explained that the petitioners did not allege that they suffered particular harm specific to themselves that was proximately caused by the defendant. We conclude that the district court did not abuse its discretion by finding that the petitioners were not crime victims under the CVRA. *See* 18 U.S.C. § 3771(d)(3) ("In deciding such application, the court of appeals shall apply ordinary standards of appellate review."). To ensure that the district court's reasoning is on the record, 18

U.S.C. § 3771(b)(1), the Clerk's Office is directed to transmit to the district court clerk a copy of the district court's response to the petition.

The Clerk's Office is directed to close this case.