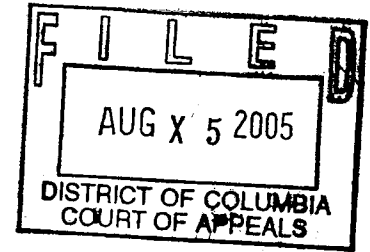


**District of Columbia
Court of Appeals**



Nos. 04-CM-760 & 04-CO-1600

ELENA RUTH SASSOWER,

Appellant,

v.

M4113-03

UNITED STATES,

Appellee.

BEFORE: Reid and Glickman, Associate Judges, and Nebeker, Senior Judge.

ORDER

On consideration of the appellant's motion for reconsideration and other relief, appellant's renewed motion to exceed page limits or for an extension of time, and appellant's letter of August 3, 2005 – enclosing a petition for initial hearing en banc, which will be separately presented to the full court for its consideration, as well as what purports to be a “final superseding” motion for reconsideration and other relief – which we construe as a motion for leave to file an amended motion to reconsider and for other relief, it is

ORDERED that appellant's motion for leave to file is granted and the Clerk shall file the lodged amended motion for reconsideration and other relief. It is

FURTHER ORDERED that appellant's motion and amended motion for reconsideration and other relief are denied. *See* D.C. App. R. 10 (a) (record on appeal consists of the original papers and exhibits filed in the Superior Court, any transcript, and a certified copy of the docket entries prepared by the Clerk of the Superior Court); *Gomez v. Gomez*, 341 A.2d 423 (D.C. 1975) (appellate court may not consider material which was not part of the record below); *Bell v. United States*, 806 A.2d 228 (D.C. 2002) (trial court judgment is presumed to be valid and a losing party who notes an appeal bears the burden of persuading the appellate court that the trial court erred); *District of Columbia v. WICAL Ltd. P'ship*, 630 A.2d 174 (D.C. 1993) (the court does not issue advisory opinions); *Litkey v. United States*, 510 U.S. 540 (1994) (judicial rulings alone do not constitute bias requiring recusal); D.C. App. R. 14 (a) (settlement conferences are only appropriate in non-criminal appeals). It is

FURTHER ORDERED that appellant's renewed motion to exceed page limits or for extension of time is granted only to the extent that appellant shall submit a brief which conforms to the rules of this court within 90 days from the date of this order. Appellee shall file its brief within 30 days thereafter; and appellant her reply, if any, within 21 days after the filing of appellee's brief. *See* D.C. App. R. 32. It is

FURTHER ORDERED that the failure of appellant to comply with this order in a timely fashion will result in the dismissal of this appeal. *See* D.C. App. R. 38.

PER CURIAM

Copies to:

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dpt