

did not delay the commencement of the time to appeal because it was not timely as not se

order denying the motion to dismiss. *See Martinez*, 681 F.2d at 1254 (dismissing appeal of original order where motion to reconsider was

appellants alleged that they belonged to the “

action.” *Mesa Oil*, 467 F.3d at 1254. Examples of “completely separate” issues include the transfer of a juvenile to adult status, commitment for a psychiatric evaluation to determine competency, and restraints on property subject to forfeiture. See *United States v. David A.*, 436 F.3d 1201 (10th Cir. 2006); *United States v. Deters*, 143 F.3d 577 (10th Cir. 1998); *United States v. Musson*, 802 F.2d 384 (10th Cir. 1986). Unlike these distinct issues, which have no impact u0000 TD(ke)Tj13.320

Chasser, 490 U.S. 495, 499 (1989). In this case, the appellants may challenge the court's evidentiary ruling on appeal from a final judgment. The remedy, if the

not to

burden: “(1) is in furtherance of a compelling gove

at 855. In *P.H.E.*, the defendant alleged that the government had engaged in a pattern of pretextual criminal prosecutions designed “to pressure a defendant into surrendering First Amendment rights.” *Id.* As this Court recognized in *P.H.E.*, and in later cases, the circumstances of the cas

IV. CONCLUSION Co

For the foregoing reasons, the United States respectfully requests that the Court dismiss this appeal for lack of jurisdiction. Appellant opposes the granting of this motion.

Respectfully submitted,
LARRY GOMEZ
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CERTIFICATE OF SERVICE

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