

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
URBANA DIVISION**

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<b>EZRA C. MARTIN,</b>	)	
	)	
<b>Petitioner,</b>	)	
<b>v.</b>	)	<b>Case No. 10-CV-2099</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent.</b>	)	

**OPINION**

On June 8, 2011, this court entered an Opinion (#8) and dismissed the Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence (#1) that was filed on behalf of Ezra C. Martin by Martin’s co-defendant in his criminal case, Larry Wilson. This court allowed Martin 30 days to file his own Motion to Vacate, Set Aside or Correct Sentence. This court stated that Martin could seek legal assistance in filing the Motion from other inmates at the facility where he is housed. This court stated, however, that Martin was not entitled to seek assistance from Wilson and any Motion filed by Wilson on Martin’s behalf would be dismissed.

Martin has not filed his own Motion to Vacate, Set Aside or Correct Sentence, and the time to do so has passed. This court notes that, on July 5, 2011, Martin did file a “Memorandum and Law in Support of Motion to Vacate, Correct, or Set Aside His Conviction and Sentence” (#9). This document is identical to the Memorandum (#2) previously filed by Wilson on Martin’s behalf. Accordingly, it will not be considered by this court. In any case, no Motion under § 2255 has been filed by Martin. Because the time allowed for filing such a Motion has passed, this case is terminated.

IT IS THEREFORE ORDERED THAT this case is terminated.

ENTERED this 18th day of July, 2011.

s/MICHAEL P. McCUSKEY  
CHIEF U.S. DISTRICT JUDGE