

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOHN EDWARD WHITE,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 2:13cv917-WHA
)	(WO)
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER

The petitioner, John Edward White, has filed a letter/motion (Doc. No. 3) in which he asks this court to “disregard” his petition for relief under 28 U.S.C. § 2241 and states that he wishes to continue seeking a reduction in his sentence. In light of the ambiguity of Mr. White’s statements in his letter/motion, the court hereby clarifies the directions contained in its previous order of December 18, 2013 (Doc. No. 2). As set forth in that order, the court again advises Mr. White that the pleading he styled as petition for relief under 28 U.S.C. §2241 (Doc. No. 1) seeks relief in the form of a sentence reduction that is proper only under 28 U.S.C. § 2255. Therefore, the court advises Mr. White that it intends to treat his pleading as a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255.

Because this court is treating Mr. White’s pleading as a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255, Mr. White should therefore inform the court, **on or before January 10, 2014**, of his wishes to do **one** of the following:

- (1) continue to proceed before this court (under 28 U.S.C. § 2255) on the claims he

has presented in his motion (Doc. No. 1); or

(2) amend his motion to assert any additional claims that he wishes to assert in challenging his conviction and/or sentence; or

(3) withdraw his motion.

Mr. White is again CAUTIONED that if he fails to file a response in compliance with this order, which requires that he inform the court that he wishes to do **one** of the above, this case will proceed under 28 U.S.C. § 2255, with the court considering only those claims presented in his original motion (Doc. No. 1).

DONE this 23rd day of December, 2013.

/s/ Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE