

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

SAMUEL COULTER,	)	
	)	
Petitioner,	)	
	)	CIVIL ACTION NO.
v.	)	3:11cv551-MHT
	)	(WO)
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

OPINION

On July 8, 2011, pursuant to 28 U.S.C. § 2255, petitioner Samuel Coulter, a federal inmate, filed this lawsuit seeking habeas relief. Coulter was sentenced on March 10, 2011. The court imposed a one-month sentence of imprisonment, to be served on 15 consecutive weekends beginning July 2, 2011, to be followed by a three-year term of supervised release. Coulter now charges that his sentence is illegal because Congress has not authorized intermittent or weekend confinement for a sentence of imprisonment. See 18 U.S.C. § 3621(a) (stating that a person "shall be committed to the custody of the Bureau until the expiration of the term imposed"). The Bureau of

Prisons has similarly informed the court that it cannot carry out the weekend sentence as fashioned. Moreover, Coulter, respondent United States of America, and the court agree that it was the intent of the court that Coulter serve a consecutive-weekend, rather than continuous, sentence so that he could continue with his employment and a drug-treatment program. For these reasons, Coulter has asked the court to set aside his sentence so that it may be corrected. The United States has orally informed the court that it does not object to the requested habeas relief.

An appropriate judgment will therefore be entered granting habeas relief and vacating Coulter's sentence.

DONE, this the 12th day of July, 2011.

          /s/ Myron H. Thompson            
UNITED STATES DISTRICT JUDGE