

1 Jaime Aguirre-Olivas, )  
 2 )  
 3 Petitioner, )  
 4 )  
 5 v. )  
 6 )  
 7 UNITED STATES OF AMERICA, )  
 8 )  
 9 Respondent. )  
 10 \_\_\_\_\_ )

\*E-FILED - 8/10/12\*

Case Nos. C-12-03908-DLJ  
CR-10-00319-DLJ

**ORDER**

On June 28, 2011 Defendant Jaime Aguirre-Olivas (Aguirre-Olivas) was sentenced to 42 months in prison for a violation of 8 U.S.C. § 1326, Illegal Re-entry. On July 16, 2012, Aguirre-Olivas filed a Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct his sentence.

The Motion claim ineffective assistance of counsel alleging that at the sentencing counsel for defendant failed to correctly address defendant's prior convictions. Aguirre-Olivas also contends that counsel was ineffective in that he claims counsel caused him to waive his right to appeal.

The Court hereby Orders that the government respond to this Motion on or before September 10, 2012.

IT IS SO ORDERED

Dated: August 9, 2012



D. Lowell Jensen  
United States District Judge

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Copy of Order Mailed on 8/10/12 to:

**Jaime Aguirre-Olivas**  
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PO Box 3725  
Adelanto, CA 92301

*Pro Se Party*

E-Filed to Government Counsel