

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

MARC BARRETT,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

No. 3:11cv1121 (SRU)

RULING ON MOTION TO SET ASIDE OR CORRECT SENTENCE

On July 5, 2011, Petitioner Marc Barrett filed a Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (doc. # 1), challenging the legality of the sentence imposed on him over two and a half years earlier on September 30, 2008. On October 13, 2011, I ordered that Mr. Barrett show cause on or before November 12, 2011, why the motion should not be dismissed as untimely under the one-year limitation period imposed by section 2255(f) (doc. # 4). Mr. Barrett has failed to do so.

Therefore, petitioner's Motion to Vacate, Set Aside, or Correct Sentence (doc. # 1), filed well outside of the one-year limitations period, is hereby DENIED. The clerk is directed to close this file.

It is so ordered.

Dated at Bridgeport, Connecticut, this 16th day of November 2011.

/s/ Stefan R. Underhill
Stefan R. Underhill
United States District Judge