

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

GILBERT NELSON WEISE, JR.,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: 2:22-cv-106

(Case No.: 2:19-cr-50)

**ORDER**

This matter is before the Court on Movant Gilbert Weise's ("Weise") failure to submit proof of service of his 28 U.S.C. § 2255 Motion to Vacate, Set Aside, or Correct his Sentence, as amended. Docs. 1, 4. Weise, through counsel, filed his § 2255 Motion on October 7, 2022. Doc. 1. Though counsel filed an Amended Motion on November 1, 2022, doc. 4, service was to be had no later than January 5, 2023, or 90 days after the filing of the original § 2255 Motion. Fed. R. Civ. P. 4(m). Because the United States of America is the named Respondent, the Court will allow counsel to either move for an extension of time or to otherwise show cause why the United States and appropriate persons have not been served. See Fed. R. Civ. P. 4. The Court provides Weise 14 days to respond to this Order. The failure to do so will result in the dismissal of Weise's § 2255 Motion based on the failure to follow the Federal Rules of Civil Procedure, this Court's Local Rules, and this Court's Order.

**SO ORDERED**, this 19th day of January, 2023.



BENJAMIN W. CHEESBRO  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA