

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.  
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ALFREDO FELIPE RASCO, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

CASE NO. CV414-171  
CR408-100

O R D E R

On August 8, 2014, Petitioner filed his 28 U.S.C. § 2255 motion raising twelve claims. (Doc. 1.)<sup>1</sup> The United States Magistrate Judge entered his Report and Recommendation dated September 3, 2014, in which he recommended denial of Petitioner's § 2255 motion. (Doc. 2.) On December 3, 2015, this Court adopted the report and recommendation and denied Petitioner's § 2255 motion. (Doc. 9.) Petitioner appealed the order to the United States Court of Appeals for the Eleventh Circuit. (Doc. 14.) The Eleventh Circuit has now vacated the order and has remanded this action to this Court for further proceedings

<sup>1</sup> All citations are to Petitioner's civil docket unless otherwise noted.

consistent with the Eleventh Circuit's Opinion dated July 17, 2019.<sup>2</sup> (Docs. 25, 27.)

Accordingly, **IT IS HEREBY ORDERED** that the Mandate of the Eleventh Circuit is made the Order of this Court. As a result, consideration of Petitioner's 28 U.S.C. § 2255 motion (Doc. 1) is **REFERRED** to the Honorable Christopher L. Ray, Magistrate Judge of the United States District Court for the Southern District of Georgia, for further consideration in accordance with the Eleventh Circuit's Opinion dated July 17, 2019. (Docs. 25, 27.) Additionally, any pending motions regarding or related to Petitioner's habeas claims are also **REFERRED** to Magistrate Judge Ray.

SO ORDERED this 10<sup>th</sup> day of October 2019.

  
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WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

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<sup>2</sup> Specifically, the Eleventh Circuit found that this Court failed to address Petitioner's fourth claim in his § 2255 petition. As a result, the Eleventh Circuit vacated this Court's order and remanded the action for the consideration of the unaddressed claim and any response from the Government in the first instance. (Doc. 25 at 7.)