

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

ERIC L. LUND,)	
)	
Petitioner,)	
)	
v.)	No. 09-3236
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

OPINION

JEANNE E. SCOTT, U.S. District Judge:

This cause is before the Court on Petitioner's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (d/e 1). The Court now makes the initial consideration of Petitioner's Motion under Rule 4 of the Rules Governing Section 2255 Proceedings.

After a review of the Motion, this Court finds that a summary dismissal is not warranted. Therefore, pursuant to Rule 4, the Court directs the United States to respond to Petitioner's Motion. The response shall discuss the merits and the procedural posture of the Motion. See Rule 5 of the Rules Governing Section 2255 Proceedings.

THEREFORE, the United States Attorney is ordered to file an answer

pursuant to Rule 5 of the Rules Governing 28 U.S.C. Section 2255 Proceedings to Petitioner's Motion on or before November 20, 2009. Petitioner is granted twenty-one days from the time the response is filed to file a reply.

IT IS THEREFORE SO ORDERED.

ENTER: September 22, 2009

FOR THE COURT:

s/ Jeanne E. Scott
JEANNE E. SCOTT
UNITED STATES DISTRICT JUDGE