

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

STACIE M. GARY,)	
)	
Petitioner/Defendant,)	
)	CIVIL NO. 10-cv-228-MJR
vs.)	
)	CRIMINAL NO. 08-cr-30169
UNITED STATES of AMERICA ,)	
)	
Respondent/Plaintiff.)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

This matter is before the Court on Petitioner’s motion for relief pursuant to 28 U.S.C. § 2255. Also before the Court is Petitioner’s motion for leave to proceed *in forma pauperis* (Doc. 2).

Petitioner pleaded guilty, with the benefit of a written plea agreement, to: one count of bankruptcy fraud (concealing assets) in violation of 18 U.S.C. § 152(1); two counts of bankruptcy fraud (false statements) in violation of 18 U.S.C. § 152(3); one count of bankruptcy fraud (false statements under oath) in violation of 18 U.S.C. § 152(2); and one count of mail fraud in violation of 18 U.S.C. § 1341. On June 26, 2009, Petitioner was sentenced to 21 months imprisonment, 3 years supervised release, a \$500 assessment, and restitution of \$44,642.20. Petitioner initially sought, but withdrew, a direct appeal concerning her convictions and sentence.

In her § 2255 motion, Petitioner raises three grounds of ineffective assistance of counsel. In her second ground, Petitioner claims that her counsel was ineffective because she “was rushed

through things and things were not explained to me properly.” As such, it appears that Petitioner is attempting to claim that her plea was not knowing and voluntarily made.

Petitioner’s motion for leave to proceed *in forma pauperis* (Doc. 2) is **GRANTED**.

The Court **ORDERS** the Government to file a response to Petitioner’s motion within **THIRTY (30) DAYS** of the date of this Order. The Government shall, as part of its response, attach all relevant portions of the record.

IT IS SO ORDERED.

DATED this 8th day of July, 2010.

s/ Michael J. Reagan
MICHAEL J. REAGAN
United States District Judge