

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

ERIC LEN LEWIS,)	
)	
Petitioner/Defendant,)	
)	CIVIL NO. 10-580-GPM
vs.)	
)	CRIMINAL NO. 09-40031-GPM
UNITED STATES of AMERICA ,)	
)	
Respondent/Plaintiff.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

This matter is before the Court on Petitioner’s motion for relief pursuant to 28 U.S.C. § 2255. Petitioner pleaded guilty, with the benefit of a written plea agreement, to mail fraud in violation of 18 U.S.C. §§ 1341 and 1346 and money laundering in violation of 18 U.S.C. § 1957. On August 17, 2009, Petitioner was sentenced to a total of 60 months imprisonment, followed by 3 years of supervised release. Petitioner also was ordered to pay restitution to a number of persons.

In his § 2255 motion, which is filed by counsel, Petitioner asserts multiple claims that his trial counsel provided him ineffective assistance and, among other things, that trial counsel’s ineffectiveness impaired Petitioner’s ability to understand the plea agreement. Additionally, Petitioner claims that his sentence violates the Eighth Amendment guarantee against cruel and unusual punishments.

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: 08/31/10

s/ G. Patrick Murphy
G. PATRICK MURPHY
United States District Judge