

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

**RONALD WASHINGTON,**

**Petitioner,**

**v.**

**Civil Case No. 14-cv-933-DRH  
Criminal Case No. 12-cr-30059-DRH-1**

**UNITED STATES OF AMERICA,**

**Respondent.**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

This matter is before the Court on petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255 (Doc. 1). On August 9, 2012, petitioner pled guilty before Magistrate Judge Stephen C. Williams to one count of attempted possession with intent to distribute 500g or more of cocaine (Doc. 22). On November 16, 2012, the undersigned sentenced petitioner to a term of 60 months, said term to run consecutively to the undischarged term of imprisonment in the Eastern District of Missouri, Case No. 4:05CR13RWS, and four years' supervised release. Petitioner subsequently filed a notice of appeal (Doc. 45). The Seventh Circuit granted his counsel's motion to withdraw and dismissed petitioner's appeal (Doc. 67). While his appeal was pending, petitioner filed a motion to set aside and vacate judgment (Doc. 62) that this Court denied for lack of jurisdiction (Doc. 63).

Petitioner now raises four grounds in his § 2255 petition including a ground relying on the recent decision in *United State v. Harden*, 2014 WL

3397699 (7th Cir. 2014)<sup>1</sup>. Pursuant to Rule 4 of the RULES GOVERNING SECTION 2255 PROCEEDINGS, the Court **ORDERS** the government to file a response to petitioner's motion on or before **October 14, 2014**. By ordering the government to respond, the Court is not commenting as to whether petitioner's claims are properly before the Court. The government shall, as part of its response, attach all relevant portions of the record.

**IT IS SO ORDERED.**

Signed this 10th day of September, 2014.

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by David R.  
Herndon  
Date: 2014.09.10  
18:31:15 -05'00'

**Chief Judge  
United States District Court**

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<sup>1</sup> Petitioner incorrectly identified the case as Harding v. United States (7th Cir. 2014).