

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

STEVEN BUCKLEY	:	
	:	
v.	:	CIVIL NO. CCB-15-148
	:	CRIMINAL NO. CCB-06-0482
UNITED STATES OF AMERICA	:	
	:	
	:	...o0o...

**MEMORANDUM**

Steven Buckley pled guilty to attempted receipt of child pornography and, after a lengthy hearing, was sentenced on October 31, 2008 to a term of 135 months incarceration, concurrent with the state sentences Buckley was then serving. The government had suggested that a consecutive sentence might be appropriate, but as I explained at the hearing, “because of the length of the sentence, and because it overlaps with the other conduct, it will be concurrent with the sentences that he is presently serving.” (Sent’g Trsp. at 70). Buckley did not appeal.

Over six years later, Buckley filed a petition under 28 U.S.C. § 2255. The gist of his petition, though categorized as ineffective assistance of counsel, is a disagreement with the fact that the 135-month concurrent sentence (which included a variance) did not additionally give him credit for time already served in state custody. This court’s intent was for the sentence to begin when it was imposed, however, and the length took into account the circumstances of the state convictions and sentences.

In summary, the petition is barred because it was filed beyond the one-year limitation. Even if timely, it is without merit because there was no ineffective assistance of counsel. Accordingly, the petition will be denied by separate Order which follows. No certificate of

appealability will be issued.

April 21, 2017

Date

/S/

Catherine C. Blake  
United States District Judge