

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

DWAIN THOMAS VAUGHN,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 1:14-CV-00092-RWS

MEMORANDUM AND ORDER

This matter is before the Court on movant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Upon Review, the Court notes that movant has not signed the motion. Both this Court's Local Rule 2.01(A) and Rule 2(d) of the Rules Governing Section 2255 Proceedings for the United States District Courts give this Court the authority to order movant to sign his motion.

Therefore,


IT IS HEREBY ORDERED that the Clerk shall return to movant the § 2255 motion to vacate [Doc. #1], with a copy of this Order, for the purpose of obtaining an original signature.

IT IS FURTHER ORDERED that the Clerk shall retain a copy of said motion in the Court's file until movant submits a motion with the original signature.

IT IS FURTHER ORDERED that upon submission of a motion bearing movant's original signature, this action shall be submitted to the undersigned for a determination as to whether a show cause order to respondent should be issued. *See* 28 U.S.C. § 2255; Rule 4(b) of the Rules Governing Section 2255 Cases in the United States District Courts.

IT IS FURTHER ORDERED that if movant fails to submit an originally signed motion within thirty (30) days from the date of this Order, this action will be dismissed without prejudice.

Dated this 7th day of July, 2014.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE