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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	3:06-cr-00073-HDM-RAM
)	3:16-cv-00073-HDM
Respondent/Plaintiff,)	
)	ORDER
)	
vs.)	
)	
WILLIAM EDWARD ARMSTRONG,)	
)	
Petitioner/Defendant.)	
_____)	

The court improvidently granted the petitioner/defendant's motion for voluntary dismissal prior to the deadline for the government to file a response to the motion. Accordingly, the order entered on April 21, 2017 (ECF No. 49) is vacated and the court will consider the merits of the petitioner/defendant's motion for voluntary dismissal (ECF No. 48) after the period for the United States to file any reply to the defendant's response to the motion to reconsider (ECF No. 53) has expired and the § 2255 petition (ECF No. 32) which is fully briefed.

IT IS SO ORDERED.

DATED: This 27th day of April, 2017.

Howard D McKibbin
UNITED STATES DISTRICT JUDGE