

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

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| JAMES HARRIS, | : | |
| | : | Civ. Action No. 14-6590(RMB) |
| Petitioner, | : | |
| | : | |
| v. | : | Memorandum and Order |
| | : | |
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Respondent. | : | |
| _____ | : | |

BUMB, District Judge:

This matter is before the Court upon Petitioner’s written submission on January 7, 2015 (ECF No. 10), in response to this Court’s Memorandum Opinion and Order, dated December 11, 2014. (ECF No. 6). Petitioner verified¹ that it is his intention to have his second filed § 2255 motion, originally filed in Civil Action No. 14cv7305, together with his addendum containing Grounds Five through Eight (ECF No. 10 at 27-32), to be his all-inclusive Section 2255 motion, in affirmance of this Court’s notice under United States v. Miller, 197 F.3d 644 (3d Cir. 1999). Petitioner also submitted a brief in support of his 2255 motion, with attached exhibits. (ECF No. 10 at 4-32.)

¹ See ECF No. 10 at 2.

Having reviewed the motion, attached brief and exhibits, and the record of prior proceedings pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings for the United States District Courts,

IT IS therefore on this 2nd day of June 2015,

ORDERED that the Clerk shall docket the motion presently labeled with the docket entry "PETITIONER'S SECTION 2255 MOTION LACKING MILLER AFFIRMANCE" (ECF No. 7), together with Petitioner's newly filed addendum to his motion, containing Grounds Five through Eight (ECF No. 10 at 27-32), in a new docket entry in Civil Action No. 14-6590, with the docket text reading "Petitioner's Section 2255 Motion With Miller Affirmance"; and it is further

ORDERED that Respondent shall file a full and complete answer to "Petitioner's Section 2255 Motion with Miller Affirmance" within 30 days of the entry of this Order; and it is further

ORDERED that Respondent shall raise by way of its answer any appropriate defenses which it wishes to have the Court consider, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; and it is further

ORDERED that the answer shall be accompanied by certified copies of all notices, opinions, documents, transcripts or

recordings of any proceedings, including all documentation that may be material to the questions raised in the motion; and it is further

ORDERED that Petitioner may file and serve a reply in support of the motion within 15 days after the answer is filed.

s/Renée Marie Bumb

RENÉE MARIE BUMB

United States District Court