

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DANIEL RICE,

Plaintiff,

-against-

ROBIN COLLIN,

Defendant.

No. 20-CV-9045 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

Plaintiff Daniel Rice filed a pro se petition under 28 U.S.C. § 2241, challenging the legality of his sentence entered in United States v. Rice, No. 02-CR-723 (S.D.N.Y. July 13, 2004). (See dkt. no. 1.) On November 16, 2020, the Court construed Mr. Rice's petition as a motion under 28 U.S.C. § 2255 and directed him, within sixty days, to either (1) "notify the Court in writing if he wishes to withdraw the motion" or (2) "file a declaration showing cause why the motion should not be denied." (Dkt. no. at 5.) Mr. Rice never complied with that directive. Accordingly, his petition [dkt. no. 1] is DENIED. The Clerk of the Court shall (1) mark this action closed and (2) mail a copy of this order to Mr. Rice.

**SO ORDERED.**

Dated: September 9, 2021  
New York, New York



LORETTA A. PRESKA, U.S.D.J.