

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RECEIVED
FILED: 9/16/21

-----X
KEVIN WILTSHIRE,
Petitioner,

ORDER

v.

20 CV 630 (VB)

UNITED STATES OF AMERICA,
Respondent.
-----X

On September 1, 2021, petitioner Kevin Wiltshire was resentenced on Counts One and Four in the underlying criminal case (S2 14 CR 768-8 (VB) (the "S2 indictment")) related to the instant motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. At resentencing, the government did not oppose Wiltshire's Section 2255 motion to vacate his conviction on Count Two of the S2 indictment, and, as a result, Wiltshire's conviction on Count Two was vacated. An Amended Judgment was entered in the criminal case on September 2, 2021. (Doc. #575 in S2 14 CR 768-8).

Accordingly, the instant Section 2255 motion has been resolved in Wiltshire's favor, and the Section 2255 motion is now moot.

The Clerk is instructed to close this case.

Dated: September 16, 2021
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge