

**IN THE UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF NORTH CAROLINA
 CHARLOTTE DIVISION
 3:11cv634
 [criminal case 3:92cr34-01]**

ALVIN TRUESDALE,)
)
 Petitioner,)
)
Vs.)
)
UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

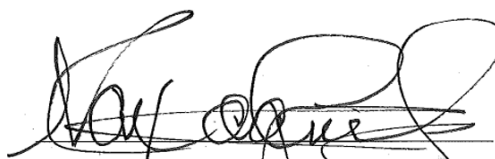
THIS MATTER is before the court on initial screening of petitioner’s Motion to Vacate (#1) in accordance with the Rules Governing Section 2255 Proceedings. In conducting such initial screening, the court has conducted a routine conflicts check and determined that at the time the criminal action was commenced in 1992, the undersigned was employed by the United States Attorney for the Western District of North Carolina, serving in the unit that prosecuted such criminal action. While the court does not have a specific recollection of the facts surrounding this case or the extent of the undersigned’s involvement in the prosecution at this time, the court will recuse itself in an abundance of caution.

The Clerk of this court is instructed to note this recusal in this civil action as well as in United States v. Truesdale, et al., 3:92cr34-RDP (W.D.N.C. 1992) as to all defendants therein, and assign this matter to another judge.

ORDER

IT IS, THEREFORE, ORDERED that the undersigned recuses himself in this civil action as well as in 3:92cr34 as to all defendants.

Signed: December 21, 2011

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line. The signature is highly stylized and cursive.

Max O. Cogburn Jr.
United States District Judge