

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:13-cv-00410-MR  
(CRIMINAL CASE NO. 3:02-cr-00137-MR-1)**

**JAMES EDWARD ROSEBORO,** )  
 )  
                   **Petitioner,** )  
 )  
           **vs.** )  
 )  
**UNITED STATES OF AMERICA,** )  
 )  
                   **Respondent.** )  
 \_\_\_\_\_ )

**ORDER**

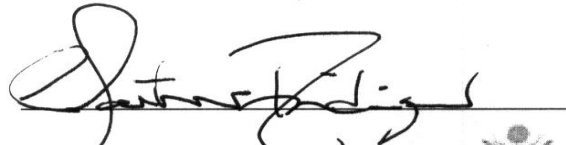
**THIS MATTER** is before the Court on the Government’s Motion to Hold Case in Abeyance [Doc. 3].

For the reasons stated in the Government’s Motion, and for cause shown,

**IT IS, THEREFORE, ORDERED** that the Government’s Motion [Doc. 3] is **GRANTED**, and this action shall be held in abeyance pending the Fourth Circuit Court of Appeal’s resolution of Whiteside v. United States, No. 13-7152. The Government shall have 45 days from the issuance of the Fourth Circuit’s mandate in Whiteside within which to file its response to Petitioner’s motion to vacate.

**IT IS SO ORDERED.**

Signed: October 13, 2014

  
Martin Reidinger  
United States District Judge

