

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:17-cv-00182-FDW
(5:16-cr-00008-FDW-6)

JERIMY JAMES SANTIAGO,)
))
Petitioner,)
))
vs.)
))
UNITED STATES OF AMERICA,)
))
Respondent.)
_____)

ORDER

THIS MATTER is before the Court upon an initial review of Jerimy James Santiago’s pro se Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255. (Doc No. 1.) The Motion was filed on October 5, 2017, when Petitioner placed it in the prison mail system. Houston v. Lack, 487 U.S. 266, 267 (1988).

Petitioner has raised two grounds for relief but indicates that he will file a brief supplying supporting facts when ordered to do so by the Court. (§ 2255 Mot. 4, Doc. No. 1.) Rule 2(b)(2) of the Rules Governing Section 2255 Proceedings for the United States District Courts requires that a motion to vacate, set aside, or correct sentence “state the facts supporting each ground” for relief raised in the motion. The Court shall provide Petitioner time to file his brief. Should Petitioner choose not to file a supporting brief, his Motion to Vacate shall be reviewed in its current form.

IT IS, THEREFORE, ORDERED that Petitioner shall have twenty-one (21) days from entrance of this Order to file a supporting brief or an amended motion to vacate that complies with Rule 2(b)(2) of the Rules Governing Section 2255 Proceedings.

SO ORDERED.

Signed: October 11, 2017

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

