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UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

VERNA BLUE THUNDER, Petitioner, vs. UNITED STATES OF AMERICA, Respondent.	3:18-CV-03009-RAL ORDER

Petitioner Verna Blue Thunder filed a pro se motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence. Doc 1. Blue Thunder is currently incarcerated at the Federal Correctional Institute in Waseca, Minnesota.

On August 14, 2017, Blue Thunder pleaded guilty, pursuant to a plea agreement, to two counts of child abuse and aiding and abetting. *United States v. Blue Thunder*, 16-CR-30114-RAL. This Court, in November of 2017, sentenced Blue Thunder to concurrent sentences of 90 months on those crimes. *Id.* at Doc. 150. The Court has reviewed Blue Thunder's § 2255 motion and cannot conclude at this time that "the files and records of the case conclusively show that the prisoner is entitled to no relief" under 28 U.S.C. § 2255(b). Therefore, it is hereby

ORDERED that service of the § 2255 motion be made on the United States Attorney for the District of South Dakota under 28 U.S.C. § 2255(b) and that an answer or other responsive pleading be filed within sixty days of service.

DATED this August 24, 2018.

BY THE COURT:

ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE

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