

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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ELLIJAH WILSON,  Movant,  vs.  UNITED STATES OF AMERICA,  Respondent.	4:17-CV-04044-KES  ORDER FOR SERVICE
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Movant, Elijah Wilson, has filed a motion pursuant to 28 U.S.C. § 2255. From a reading of the motion, the court cannot determine that “it plainly appears from the face of the petition . . . that the petitioner is not entitled to relief in the district court” warranting summary dismissal pursuant to Rule 4 of the Rules Governing Section 2255 Cases in the United States District Court. Therefore, it is

ORDERED that:

1. Movant’s motion to proceed in forma pauperis (Doc. 6) is granted.
2. Movant’s motion for copies and transcripts (Doc. 2) is granted in part as follows: The clerk of court shall send Mr. Wilson copies of the indictment, plea documents and transcripts of the change of plea and sentencing hearings.
3. The Clerk of Court will deliver or serve a copy of the motion on the United States Attorney for the District of South Dakota.

4. The United States Attorney for the District of South Dakota will serve and file an answer or responsive pleading to the motion, together with a legal brief or memorandum, on or before June 9, 2017.

DATED this 9th day of May, 2017.

BY THE COURT:

  
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VERONICA L. DUFFY  
United States Magistrate Judge