**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROBERT LIGON,	**)**	
	)	
Petitioner,	**)**	
	)	
	)	**CASE NO. 3:13-0698**
vs.	**)**	**JUDGE SHARP/KNOWLES**
	)	
	)	
UNITED STATES OF AMERICA,	**)**	
	)	
Respondent.	**)**	

ORDER

Judge Sharp has referred this matter to the undersigned "with instructions to conduct an

evidentiary hearing . . . ." Docket No. 20. Movant, who is in federal custody, began this action

by filing a document headed "28 U.S.C. § 2255" (Docket No. 1), which the Court has construed

as a Motion to Vacate, Set Aside, or Correct his sentence pursuant to the referenced statute.

Docket No. 1. Further background can be found in Judge Sharp's Memorandum accompanying

his Order of reference. Docket No. 19.

Rule 8(c) of the Rules Governing Section 2255 Proceedings For The United States

District Courts provides in relevant part:

> If an evidentiary hearing is warranted, the judge must appoint an
> attorney to represent a moving party who qualifies to have counsel
> appointed under 18 U.S.C. § 3006A. The judge must conduct the
> hearing as soon as practicable after giving the attorneys adequate
> time to investigate and prepare. Before an attorney can be
> appointed to represent him, the moving party must establish that he
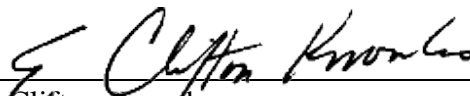> qualifies to have counsel appointed for him.

Therefore, the Clerk is directed to send the Movant a Financial Affidavit. If he wishes to

have counsel appointed to represent him, Movant shall complete the Financial Affidavit and return it to the Clerk within twenty (20) days from the entry of the instant Order.

Assuming that Movant qualifies for the appointment of counsel, the Court will appoint counsel and schedule a Case Management Conference to discuss the timing and logistics of the evidentiary hearing.

If Movant fails to comply with the instant Order, the Court will interpret that to mean that Movant does not wish to have counsel appointed. Movant is, of course, free to retain counsel of his choosing.

IT IS SO ORDERED.

E. Clifton Knowles
United States Magistrate Judge