

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

MONTE DECARLOS WINSTON,

Petitioner,

v.

Civil Action No. 3:12CV172

UNITED STATES ATTORNEY GENERAL,

Respondent.

**FINAL ORDER**

In accordance with the accompanying Memorandum Opinion, it is hereby ordered that:

1. Winston's objections are overruled;
2. The Report and Recommendation is accepted and adopted;
3. Winston's 28 U.S.C. § 2241 petition is denied;
4. The action is dismissed;
5. Winston's Motion to Expedite (ECF No. 6), and two Motions Pursuant to Rule 21(a) and (b) of FRAP (ECF No. 9-10) are denied;
6. A certificate of appealability is denied;
7. From this point forward, before the Court will review any new action challenging the calculation or execution of his sentence, Winston must do the following:
  - a. Provide a brief summary of why the ends of justice warrant consideration of his submission and attach the summary to the front of any filing; and,
  - b. Certify that the claims he wishes to present are new claims never before raised and disposed of on the merits by any federal court and set forth why

each claim could not have been raised  
in one of his previous actions.

Winston's failure to comply with the above directives  
will result in summary dismissal of the new action.

Should Winston desire to appeal, a written notice of appeal  
must be filed with the Clerk of the Court within sixty (60) days  
of the date of entry hereof. Failure to file a notice of appeal  
within that period may result in the loss of the right to  
appeal.

The Clerk is directed to send the Memorandum Opinion and  
Final Order to Winston.

And it is so ORDERED.

Date: July 31, 2017  
Richmond, Virginia

\_\_\_\_\_/s/ REP  
Robert E. Payne  
Senior United States District Judge