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HON. RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPHINA HERNANDEZ-GARETE,)	
)	
Petitioner,)	Case No. C14-141RAJ
)	
v.)	
)	ORDER FOR SERVICE AND
UNITED STATES OF AMERICA,)	ANSWER, § 2255 MOTION
)	
Respondent.)	
)	

Petitioner has filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct her sentence. After a preliminary review of the motion, the Court does hereby ORDER that:

(1) Service. The Clerk of Court shall arrange for service by first class mail upon the United States Attorney of a copy of the Motion and the attachments thereto, and of this Order. The Clerk shall also direct a copy of this Order and of the General Order to Petitioner.

(2) Government’s Answer. Within thirty (30) days after such service, the United States shall file and serve an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States District Courts. As part of such Answer, the United States should state its position as to whether an evidentiary hearing is necessary, whether

1 there is any issue as to abuse or delay under Rule 9, and whether Petitioner’s motion is
2 barred by the statute of limitations.

3 (3) Noting Date for Consideration. On the face of the Answer, the United States
4 shall note the Answer for consideration on the fourth Friday after it is filed, and the Clerk
5 shall note the Answer accordingly. Petitioner may file and serve a response not later than
6 on the Monday immediately preceding the Friday designated for consideration of the matter.
7 The United States may file and serve a reply brief not later than on the Thursday
8 immediately preceding the Friday designated for consideration of the matter.
9

10 (4) Filing and Service by Parties Generally. All attorneys admitted to practice
11 before this Court are required to file documents electronically via the Court’s CM/ECF
12 system. Counsel are directed to the Court’s website, www.wawd.uscourts.gov, for a
13 detailed description of the requirements for filing via CM/ECF. All non-attorneys, such as
14 pro se parties and/or prisoners, may continue to file a paper original of any document for the
15 Court’s consideration. A party filing a paper original does not need to file a chambers copy.
16 All filings, whether filed electronically or in traditional paper format, must indicate in the
17 upper right-hand corner the name of the judge to whom the document is directed.

18 For any party filing electronically, when the total of all pages of a filing exceeds fifty
19 (50) pages in length, a paper copy of the document (with tabs or other organizing aids as
20 necessary) shall be delivered to the Clerk’s Office for chambers. The chambers copy must
21 be clearly marked with the words “Courtesy Copy of Electronic Filing for Chambers.”
22
23

1 Additionally, any document filed with the Court must be accompanied by proof that
2 it has been served upon all parties that have entered a notice of appearance in the underlying
3 matter.

4 DATED this 4th day of February, 2014.

5
6 

7 The Honorable Richard A. Jones
8 United States District Judge