

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

WILLIAM HARRISON MEADE

Petitioner,

v.

CIVIL ACTION NO. 2:19-cv-00141  
(Criminal No. 2:15-cr-00133)

UNITED STATES OF AMERICA,

Respondent.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this court of Proposed Findings and Recommendation (“PF&R”) for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On April 22, 2020, the Magistrate Judge submitted findings and recommends that the court **DENY** Plaintiff William Harrison Meade’s Motions and Supplemental Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255, [ECF Nos. 39, 49, 50], **GRANT** the Respondent United States of America’s request for dismissal, and **REMOVE** this matter from the Court’s docket.

Thereafter, pro se Plaintiff Meade submitted Objections to the PF&R on July 6, 2020. [ECF No. 64]. When a Magistrate Judge issues a recommendation on a dispositive matter, the court reviews de novo those portions of the Magistrate Judge’s report to which specific objections are filed. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P.

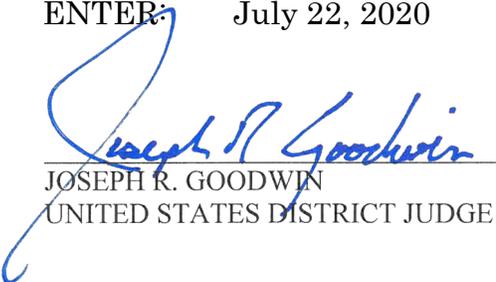
72(b)(3). This court is not, however, required to conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir.1982).

In his objections, Plaintiff does not direct any specific objections to Magistrate Judge Eifert’s PF&R, but instead asks for the same relief that the Magistrate Judge recommended be denied, including collaterally attacking his plea agreement and a claim for ineffective assistance of counsel. *See* [ECF No. 64].

Because Plaintiff does not address any specific error by the Magistrate Judge, the court **FINDS** that a de novo review is not required. Plaintiff also fails to demonstrate any clear error in the PF&R. I find it prudent to note to pro se Plaintiff Meade that his sentence issued by Judge Johnston on May 20, 2016 is a final judgment. And 18 U.S.C. § 3582 states that I may not thereafter release a defendant from prison or reduce or modify a sentence once the judgment is final, unless one of the following three events occurs: (1) the Director of the Bureau of Prisons makes such a motion; OR (2) the defendant makes such a motion after making a request to the Warden and either exhausting administrative remedies or waiting 30 days from the Warden’s receipt of the defendant’s request, whichever is earlier; OR (3) the United States makes a Rule 35 motion for substantial assistance. Thus, letters written to me asking to change, reduce, or modify a sentence will be of no consequence unless the requirements of § 3582 are satisfied.

Accordingly, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and orders judgment consistent with the findings and recommendations. The court **OVERRULES** Plaintiff's objections. [ECF No. 64]. The court **DENIES** the Plaintiff's Motions and Supplemental Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255, [ECF Nos. 39, 49, 50], **GRANTS** the Respondent's request for dismissal, and **REMOVES** this matter from the Court's docket. The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 22, 2020



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE