IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GIOVANNI COLLAZO-SANTIAGO,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.
_____/

CRIM. CASE NOS: 12-CR-136/12-CR-41

HONORABLE WILLIAM M. CONLEY
CHIEF U.S. DISTRICT JUDGE

NOTICE OF APPEAL/FED.R.APP.PROC. 22(b)(2)

Now Comes Giovanni Collazo-Santiago, proceeding Pro Se in the above captioned-matter. The Petitioner invokes the legal doctrine as prescribed under Haines v. Kerner, 404 U.S. 519, 520-21 (1972), in the instant proceeding.

The Petitioner is appealing the Court's order denying his § 2255 Motion and Rule 59(e) Motion. And for the record, Petitioner would like to apprise this Court and the Court of Appeals that the Court's order only cites the criminal case for the 841(a)(1) conviction (Crim. Case No. 12-cr-136), however, without any doubt, Petitioner also vigorously challenged the judgment for the § 922(g)(1) conviction in Fed.R.Civ.Proc. 15(a)(2) Motion(s) (Crim. Case No. 12-CR-41). Thus, for jurisdictional purposes and due process of law, I ask the courts to take judicial notice that Petitioner, contrary to the District Court's Order, did indeed file a couple of Rule 15(a)(2) Motions challenging the judgment in 12-CR-41. And for the record, Petitioner apprised the District

of the aforementioned in the Rule 59(e) Motion and the District Court failed to rule or mention it in its order denying the Rule 59(e) Motion. And the fact that the case manager and/or clerk inadvertently filed Petitioner's Rule 15(a)(2) motions under the criminal case docket, see [docket entry 53, Case No. 12-CR-41][1/], and Petitioner filed a motion asking the Distict Court to vacate that order and reinstate the two Rule 15(a)(2) motions on to the § 2255 docket sheet, and the District Court was silent on this requests. [docket entry 47 & 51].

CERTIFICATE OF SERVICE

Pursuant to 28 U.S.C. § 7146, under the penatly of perjury, I declare that the above is true and correct to the best of my knowledge and recollection.

I hereby certify that a true and complete copy of the foregoing Notice of Appeal/Judical Notice Motion has been placed in U.S. First Class Mail, with the postage prepaid to the party below:

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222 W. Washington Ave
Suite 700
Madison, Wisconsin 53703

Giovanni Collazo-Santiago

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1/ Petitioner request the Court to order/direct the clerk to forward him a recent docket sheet so that he can prepare the Rule 3(c) Docketing Statement. In addition, the above as to the clerk or case manager inadvertently filing Petitioner's Rule 15(a) Motions under the wrong docket sheet, [docket entry 53], shows that the District Court erred as to its basis for denying relief on the concurrent-sentence doctrine. Because these Motion challenged the judgment in Crim. Case No. 12-CR-41.