

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

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

01-cr-32-bbc

v.

MICHAEL BROWN,

Defendant.

On July 31, 2012, defendant Michael Brown filed a motion for new trial under Fed. R. Crim. P. 33. The court set a briefing schedule on the motion. On September 4, 2012, defendant filed a motion for extension of time to file his reply brief. The court granted an extension until October 4, 2012. The court received defendant's reply brief on October 24, 2012. After considering all briefs, the court denied the motion in an order entered on October 25, 2012.

Defendant has now filed a document entitled "motion for correction and to be allowed to proceed with his motion for a new trial." In his motion, defendant explains that his motion for extension of time was delayed because it was returned to him by the post

office due to an insufficient address. His reply brief was therefore delayed as well. The defendant should know that the despite the late filing of his reply brief, the court did have an opportunity to review and consider it prior to issuing the October 25, 2012 order denying his motion.

ORDER

IT IS ORDERED that defendant Michael Brown's motion for correction and to be allowed to proceed with his motion for a new trial is DENIED as moot.

Entered this 2d day of November, 2012.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge