

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER WILSON,

Defendant.

ORDER

08-cv-443-bbc

06-cr-60-bbc

Defendant Christopher Wilson has filed a motion for extension of time to file a notice of appeal from the judgment entered in this case on August 13, 2008, denying his § 2255 motion. A district court may extend the time for filing a notice of appeal upon motion filed no later than 30 days after the expiration of the time prescribed by Fed. R. App. P. 4 and upon the movant's showing of excusable neglect or good cause. Defendant filed his motion on October 22, 2008, which is within the 30-day period following expiration of the 60-day period he had in which to file a notice of appeal. He explains that his failure to file a timely notice of appeal was the result of the fact that since August 17, 2008, he has been away from FCI-Sandstone and his legal papers, defending himself against charges brought against him

in the state of Illinois. Although this excuse is not a strong one, I conclude that it is sufficient to find good cause for defendant's missing the 60-day deadline for filing his notice of appeal. Therefore, I will grant his request for an extension of time to file the notice of appeal until November 10, 2008.

ORDER

IT IS ORDERED that defendant Christopher Wilson's request for an extension of time to file an appeal until November 10, 2008, is GRANTED.

Entered this 29th day of October, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge