

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEROME G. HUGHES,

Defendant.

ORDER

10-cv-570-bbc
07-cr-33-bbc

Defendant Jerome Hughes has filed a motion for enlargement of time to file a motion for reconsideration of the court's October 7, 2010 order denying his motion for post conviction relief under 28 U.S.C. § 2255. Defendant asks for a 30-day extension of time in which to file such a motion. Defendant says that his delay in filing his motion reconsideration is attributable to added restrictions on inmates related to their use of the law library. The motion will be denied.

In 2009, an amendment to Rule 59(e), changed the period in which to file a motion to alter or amend judgment under Rule 59(e) from 10 days to 28 days after entry of judgment. Judgment was entered in this case on October 12, 2010 but, as evidenced by a

copy of the envelope delivered to defendant, he did not receive a copy of the order or judgment until October 18, 2010. Using the October 18, 2010 date in which to calculate defendant's filing deadline, his motion for reconsideration is due on or before November 15, 2010. This should be sufficient time for defendant to file his motion.

ORDER

Defendant motion for an extension of time to file a motion for reconsideration is DENIED.

Entered this 26th day of October, 2010.

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