

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

MORRIS E. BROWN,

Defendant.  
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OPINION AND ORDER

10-cv-47-bbc

08-cr-134-bbc

Defendant Morris Brown has filed a second motion to reopen and amend his motion for post conviction relief under 28 U.S.C. § 2255. His first motion was denied because his case is on appeal before the Seventh Circuit Court of Appeals. As I explained to defendant in denying his first motion, the district court should not consider § 2255 motions while an appeal is pending. United States v. Robinson, 8 F.3d 398 (7th Cir. 1993). Nothing has changed since defendant's first motion. Therefore, his motion will be denied.

ORDER

IT IS ORDERED that defendant Morris Brown's motion to reopen and amend his

motion for post conviction relief under 28 U.S.C. § 2255 is DENIED without prejudice as premature.

Entered this 28th day of February, 2011.

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