



U.S. Department of Justice

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December 7, 2016

BY ECF

Hon. Freda L. Wolfson
United States District Judge
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 2020
Trenton, NJ 08608

Re: Bobby Boye v. United States
Civ. No. 16-6024 (FLW)

Dear Judge Wolfson:

I write to respectfully request an extension of time for Respondent United States of America (hereinafter, the "Government") to respond to Petitioner Bobby Boye's motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. At present, the Government's response is due December 16, 2016 and Petitioner Boye's reply, if any, is due January 17, 2017.

I am currently preparing for trial in United States v. Judy Tull and Kay Ellison, Crim. No. 15-622 (SDW), a complex-designated case involving voluminous discovery. Trial is scheduled to commence on January 17, 2017 in Newark before the Hon. Susan D. Wigenton, U.S.D.J., and is expected to conclude in early February. The Government needs additional time to prepare its response to the 2255 petition and, if there are factual matters in dispute, to obtain an order directing defense counsel, K. Anthony Thomas, Esq., to provide an affidavit concerning the factual matters raised in the petition. Accordingly, please find enclosed a Proposed Form of Order granting an extension and requiring the Government to file its response on or before March 17, 2017, and the Petitioner to file any reply on or before April 20, 2017.

Thank you for your attention to this matter.

Respectfully submitted,

PAUL J. FISHMAN
United States Attorney

s/ Shirley U. Emehelu

By: Shirley U. Emehelu
Assistant U.S. Attorney

cc: Bobby Boye (by certified mail)
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