

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BOBBY BOYE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil Action No. 16-6024 (FLW)

ORDER

Movant, Bobby Boye, proceeding through counsel, having filed a motion to vacate, set aside or modify sentence (“Petition”), pursuant to 28 U.S.C. § 2255 (ECF No. 1); and the Court having screened the motion for summary dismissal pursuant to Rule 4 of the Rules Governing Section 2255 Cases in the United States District Court, concluding that it does not “plainly appear[] from the motion, any attached exhibits and the record of prior proceedings that the moving party is not entitled to relief”

IT IS on this 3rd day of November, 2016,

ORDERED that Respondent shall file a full and complete answer to the motion within 45 days of the entry of this Order; and it is further

ORDERED that Respondent shall raise by way of its answer any appropriate defenses that it wishes to have the Court consider, including, with respect to the asserted defenses, relevant legal arguments with citations to appropriate legal authority; and it is further

ORDERED that the answer shall be accompanied by certified copies of all notices, opinions, documents, transcripts or recordings of any proceedings, including all documentation that may be material to the questions raised in the motion, however, in lieu of providing certified copies, the Government may cite to the criminal docket by referencing the ECF docket entry

number and the page; and it is further

ORDERED that the Movant may file and serve a reply in support of the motion within 30 days after the answer is filed.

/s/ Freda L. Wolfson
Freda L. Wolfson
United States District Judge