

IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
BRIAN J. BUTTERS, )  
)  
Defendant. )

Case No. 06-10208-WEB  
09-1305

MEMORANDUM AND ORDER

Before the court is the defendant's Motion for Extension (Doc. 88). The defendant previously filed a Motion to Vacate pursuant to 28 U.S.C. § 2255. The court ordered the defendant to supplement his motion with factual basis and legal argument. The defendant was granted 60 days to supplement the motion. The defendant then filed a motion requesting additional time to supplement his motion. The court granted the defendant's request for additional time. The defendant was granted an additional 30 days to supplement his motion.

The defendant has now filed another motion for an extension of time. The defendant argues that he needs additional time to find a lawyer to represent him, and additional time to find the money to pay the lawyer.

There is no constitutional right to an attorney in a section 2255 proceeding. Coleman v. Thompson, 501 U.S. 722, 752-53, 111 S.Ct. 2546, 115 L.Ed.2d 640 (1991). The defendant is proceeding pro se, therefore, the court will attempt to accommodate the defendant. However, the court will not unnecessarily delay this case. The defendant is granted until March 31, 2010 to supplement his motion to vacate with a factual basis and legal argument. Further extensions of time will not be granted.

IT IS SO ORDERED this 12th day of February, 2010.

s/ Wesley E. Brown  
Wesley E. Brown  
United States Senior District Court Judge