

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEJANDRO ZAMORA-SOLORZANO,

Defendant.

**Case No. 06-20100
09-2576**

MEMORANDUM AND ORDER

Defendant Alejandro Zamora-Solorzano filed an amended motion to vacate pursuant to 28 U.S.C. § 2255 (doc. 124) on November 13, 2009. According to the most recent scheduling order (doc. 135), the Government's response was due on January 14, 2010, and Mr. Zamora-Solorzano's reply was due on February 15, 2010.¹ The Government filed its response as scheduled (doc.140). Receiving nothing from Mr. Zamora-Solorzano, this court entered a Memorandum and Order (doc. 146) denying Mr. Zamora-Solorzano's § 2255 petition.

Earlier this week, the court received from Mr. Zamora-Solorzano a Motion for Extension of Time to file a reply in support of his § 2255 (doc. 147). According to that motion, Mr. Zamora-Solorzano never received the Government's response to his § 2255

¹ That was later extended to February 16, 2010 (doc. 144); February 15 was a federal holiday.

motion, and only realized its existence by reading this court's order on a separate motion (doc. 144). He requests a copy of that document and additional time to review it before submitting a reply. Mr. Zamora-Solorzano also asserted that the court has been sending him correspondence to an incorrect address.

Mr. Zamora-Solorzano's request for additional time to file a reply is denied as moot because the motion has already been ruled on. The court would remind Mr. Zamora-Solorzano, however, that he may file a Rule 59(e) motion to alter or amend the judgment within 28 days of the entry of judgment, or a Rule 60 motion for relief from judgment for one of the grounds listed in Rule 60(b).

The court will also instruct the Clerk's Office to change Mr. Zamora-Solorzano's mailing address to that listed on this latest motion, and to resend a copy of the Government's response and the Memorandum and Order relating to Mr. Zamora-Solorzano's § 2255. The court reminds Mr. Zamora-Solorzano, however, that it is his responsibility to update his address with the court by notifying the Clerk's Office of any change. D. Kan. Rule 5.1(c).

IT IS THEREFORE ORDERED BY THE COURT that defendant's motion for extension of time (doc. 147) is **denied as moot**. The Clerk's Office, however, is directed to update defendant's mailing address as specified in the motion. The Clerk's Office is further directed to send defendant via certified mail a copy of the Government's

Response (doc. 140), the Memorandum and Order denying defendant's § 2255 (doc. 146), and this order.

IT IS SO ORDERED this 4th day of March, 2010.

s/ John W. Lungstrum
John W. Lungstrum
United States District Judge