

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

**United States of America,**

**Plaintiff,**

**v.**

**Case No. 07-20100-05-JWL**

**Jesus Gabriel Gandara-Escarcega,**

**Defendant.**

**MEMORANDUM & ORDER**

In July 2009, Mr. Gandara-Escarcega pleaded guilty to conspiracy to distribute and possession with intent to distribute more than 1000 kilograms of marijuana and more than 5 kilograms of cocaine. The court sentenced Mr. Gandara-Escarcega to the statutory minimum sentence of 120 months. Nearly three years later, he filed a motion to vacate, set aside or correct his sentence under 28 U.S.C. § 2255. In July 2012, the court dismissed that motion as time-barred. This matter is now before the court on Mr. Gandara-Escarcega's motion for order seeking permission to have the Supreme Court review his case (doc. 285). The motion is denied because it is untimely filed and, in any event, this court is not authorized to grant the relief that Mr. Gandara-Escarcega seeks.

**IT IS THEREFORE ORDERED BY THE COURT THAT** Mr. Gandara-Escarcega's motion for order (doc. 285) is denied.

**IT IS SO ORDERED.**

Dated this 10<sup>th</sup> day of December, 2013, at Kansas City, Kansas.

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