

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 07-20168-JWL
)	
FRANKLIN GOODWIN,)	
)	
Defendant.)	
)	

MEMORANDUM AND ORDER

Defendant Franklin Goodwin comes before the court with a Motion to Preserve Issues (doc. 1458). He seeks to preserve issues raised by the Supreme Court's ruling in *DePierre v. United States*, 131 S. Ct. 225 (2011), so that he may include the issues in his petition for habeas corpus. A Motion to Preserve Issues is not a cognizable claim for post-conviction relief. If Mr. Goodwin wishes to pursue this claim, he should include it in a timely filed petition for habeas corpus pursuant to 28 U.S.C. § 2255.

IT IS THEREFORE ORDERED BY THE COURT that defendant's Motion to Preserve Issues (doc. 1458) is dismissed without prejudice.

IT IS SO ORDERED this 13th day of June, 2012.

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