

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 09-40039-01

11-4118-RDR

FRANCISCO NUNEZ,

Defendant.

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O R D E R

The defendant has filed a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. In the motion, he contends that his guilty plea was involuntary due to ineffective assistance of counsel. The United States is hereby directed to file a response to defendant's motion within thirty days of the date of this order. The defendant shall have twenty days after the filing of the government's response in which to file a reply.

**IT IS THEREFORE ORDERED** that the government file a response to the defendant's motion to vacate, set aside or correct sentence within thirty days of the date of this order. The defendant shall have twenty days after the filing of the government's response in which to file a reply.

**IT IS SO ORDERED.**

Dated this 3<sup>rd</sup> day of October, 2011 at Topeka, Kansas.

s/Richard D. Rogers  
United States District Judge