

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	<b>CRIMINAL ACTION</b>
<b>Plaintiff,</b>	)	<b>No. 11-20111-01-KHV</b>
	)	
<b>v.</b>	)	
	)	<b>CIVIL ACTION</b>
<b>DANA J. HUFF,</b>	)	<b>No. 17-2288-KHV</b>
	)	
<b>Defendant.</b>	)	
_____	)	

**ORDER**

On December 5, 2017, the Court overruled defendant’s Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside, Or Correct Sentence By A Person In Federal Custody (Doc. #120) filed November 29, 2016 and denied a certificate of appealability. Memorandum And Order (Doc. #148). This matter is before the Court on defendant’s Motion For Extension Of Time To File 28 U.S.C. § 2253 (Doc. #149) filed January 9, 2018. Because defendant fails to identify what deadline he seeks to extend, the Court construes defendant’s motion as a motion to extend the deadline to file an appeal under Rule 4, Fed. R. App. P., and/or seek a certificate of appealability under Rule 22(b), Fed. R. App. P. See Rules Governing Section 2255 Proceedings, R. 11. The Court grants defendant a 30-day extension. Defendant may file an appeal on or before **February 28, 2018.**

**IT IS THEREFORE ORDERED** that defendant’s Motion For Extension Of Time To File 28 U.S.C. § 2253 (Doc. #149) filed January 9, 2018 is **SUSTAINED.**

Dated this 29th day of January, 2018 at Kansas City, Kansas.

s/ Kathryn H. Vratil  
Kathryn H. Vratil  
United States District Judge