

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED
SEP 30 1997

LUTHER D. ... Clerk
By: Deputy Clerk

UNITED STATES OF AMERICA :
 : CRIMINAL ACTION
 v. : NO. 1:92-cr-182-4
 :
 GEORGE W. HIGH, SR. : CIVIL ACTION
 : NO. 1:97-cv-2891-RLV
 Defendant. :

O R D E R

George W. High, Sr., has filed a motion pursuant to 28 U.S.C. § 2255, asking this court to vacate, set aside, or correct the sentence imposed on him on January 20, 1994. High appealed his conviction and sentence, and by decision dated July 21, 1997, the Court of Appeals for the Eleventh Circuit affirmed in part and reversed in part and remanded for further proceedings. United States v. High, 117 F.3d 464 (11th Cir. 1997).¹

Because the defendant's conviction and sentence are not final, the court finds that his motion under section 2255 is premature. Consequently, the motion is DENIED without prejudice to renew the motion when the defendant's sentence becomes final.

SO ORDERED, this 29th day of September, 1997.

ROBERT L. VINING, JR.
Senior United States District Judge

¹ No further proceedings have occurred, however, because the Eleventh Circuit has not yet issued the mandate in the case.

UNITED STATES OF AMERICA
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GEORGE W. HIGH, SR.,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

CRIMINAL NO. 1:92-cr-182-4

CIVIL ACTION FILE

NO. 1:97-cv-2891-RLV

JUDGMENT

The Court having DENIED the motion filed pursuant to Title 28, United States Code,
Section 2255,

Judgment is hereby entered in favor of the Respondent and against the Movant.

Dated at Atlanta, Georgia this 30th day of September, 1997.

LUTHER D. THOMAS
CLERK OF COURT

By: _____

Pat Trago
Pat Trago
Deputy Clerk

Filed: September 30, 1997
Entered: 10/1/97
In the Clerk's Office

Luther D. Thomas
Clerk of Court

By: _____

Pat Trago
Deputy Clerk