

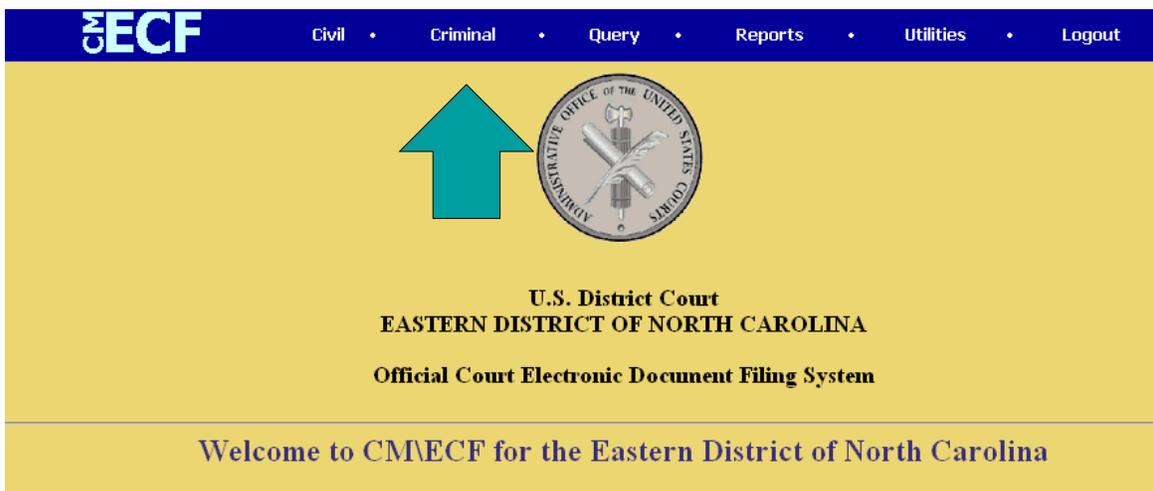
TIPS FOR FILING IN 28 U.S.C. § 2255 MATTERS

28 U.S.C. § 2255 Motions present unique filing issues because they involve a civil and a criminal case number.

ALL docket entries for 28 U.S.C. § 2255 matters **MUST** be made in the criminal case. This includes the initial motion itself and any later documents, including notices of appearance if counsel is appointed.

The following steps should be followed when filing a motion to vacate (2255).

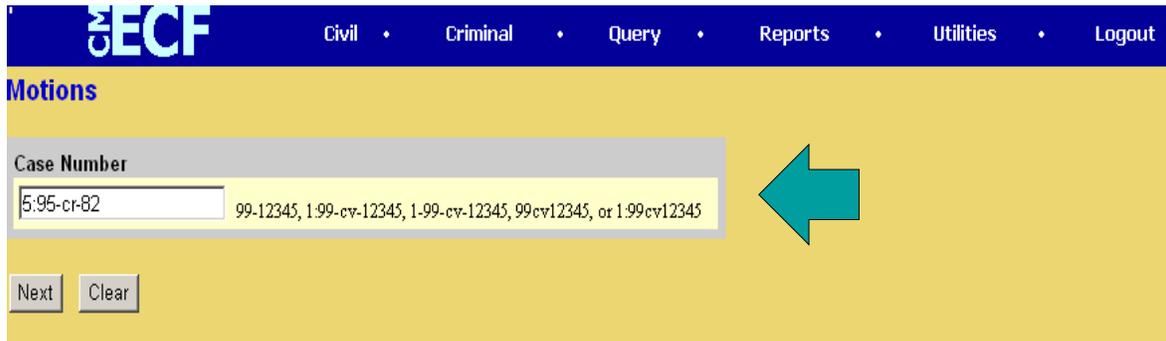
1. Go to criminal on the blue bar.



2. Select “Motions.”



3. Enter the criminal case number.



The screenshot shows the top navigation bar of the ECF system with links for Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar is the 'Motions' section. A 'Case Number' input field contains the text '5:95-cr-82'. To the right of the input field is a teal arrow pointing left. Below the input field is a list of alternative case numbers: '99-12345, 1:99-cv-12345, 1:99-cv-12345, 99cv12345, or 1:99cv12345'. At the bottom of the form are 'Next' and 'Clear' buttons.

4. Select your defendant - you will encounter this screen if there are multiple defendants in the case. Otherwise, the system will skip to step 5 below.

5. Select the filer.



The screenshot shows the 'Motions' section of the ECF system. It displays the case number '5:95-cr-00082-BO USA v. Mims' and the status 'CASE CLOSED on 08/03/1995'. Below this is the instruction 'Select the filer.' and a 'Select the Party:' dropdown menu. The dropdown menu is open, showing two options: 'USA [Plaintiff] (T)' and 'Mims, Michael Anthony (1) [Defendant] (T)'. A teal arrow points to the dropdown menu. Below the dropdown menu is the text '(T) indicates a terminated party'. At the bottom of the form are 'Next' and 'Clear' buttons.

Continued ...

6. Check the first and second boxes to associate yourself with the party and to enter yourself as lead counsel. This screen will display only if this is your first appearance in the case. Otherwise, proceed to step 7 below.



7. Select relief “Vacate (2255)”.



8. Browse & pull in your document. If applicable, be sure to include attachments at this step.

ECF Civil • Criminal • Query • Reports • Utilities • Logout

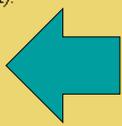
Motions
5:95-cr-00082-BO USA v. Mims CASE CLOSED on 08/03/1995

Select the pdf document (for example: C:\199cv501-21.pdf).

Filename
 Browse...

Attachments to Document: No Yes

Next Clear



9. Review the summary screen.

ECF Civil • Criminal • Query • Reports • Utilities • Logout

Motions
5:95-cr-00082-BO USA v. Mims CASE CLOSED on 08/03/1995

Docket Text: Modify as Appropriate.

MOTION to Vacate under 28 U.S.C. 2255 by Michael Anthony Mims. (Helpdesk, Attorney6)

Next Clear



10. Review the point of no return screen.

ECF Civil • Criminal • Query • Reports • Utilities • Logout

Motions
5:95-cr-00082-BO USA v. Mims CASE CLOSED on 08/03/1995

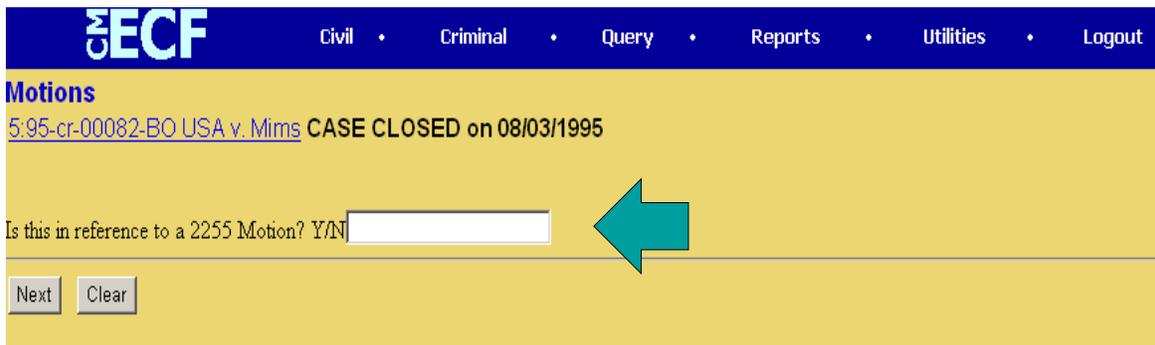
Docket Text: Final Text
MOTION to Vacate under 28 U.S.C. 2255 by Michael Anthony Mims. (Helpdesk, Attorney6)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

Next Clear



11. Finalize the filing action and receive the Notice of Electronic Filing (NEF) for the 2255 motion.
12. Please note that, when filing later documents in a 2255 matter, you may encounter screens with the question “Is this in reference to a 2255 motion?” You should answer YES. You will encounter this question when you file a motion for extension of time, a notice of attorney appearance or when you file motions for summary judgment or to dismiss. These are just a few examples.



The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a blue navigation bar with the ECF logo and menu items: Civil, Criminal, Query, Reports, Utilities, and Logout. Below the navigation bar, the page title is "Motions" and the case information is "5:95-cr-00082-BO USA v. Mims CASE CLOSED on 08/03/1995". The main content area is yellow and contains the question "Is this in reference to a 2255 Motion? Y/N" followed by a text input field. A large blue arrow points to the input field. At the bottom of the form, there are two buttons: "Next" and "Clear".

13. The civil companion case to a 28 U.S.C. § 2255 matter is only opened as a shell case pursuant to Administrative Office requirements. The Eastern District of North Carolina requires **ALL PLEADINGS** related to a 2255 matter be filed in the original criminal case so that the entire record is complete in one centralized location as well as to enhance case management functions. Thus, you will always select “Criminal” on the Blue Bar to file any 2255 related pleading.

***** **If filings are made in the companion civil case, the filer will be directed to re-file the documents in the criminal case.**

