

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 03-1486

UNITED STATES OF AMERICA

v.

CLINTON M. LACKEY

(EDPA No. 01-cr-00515)

On January 12, 2005, the United States Supreme Court decided *United States v. Booker*, 543 U.S. - -, 125 S. Ct. 738 (2005).

If Appellant wishes to challenge his sentence under *Booker*, Appellant must so inform the court by letter within 20 days. Appellant's letter must not exceed 750 words and must succinctly state the factual and legal basis of the challenge. The letter may not contain argument. *Cf.* Fed. R. App. P. 28(j). Appellant shall file an original and three copies of the letter, with certificate of service, with the clerk. Any response must be made within 14 days of service and must be similarly limited. Further briefing will be permitted only at the court's direction.

In light of the above procedure, Appellant's motion for leave to file a supplemental brief is denied without prejudice.

FOR THE COURT,

/s/ Marcia M. Waldron  
Clerk

Date: February 16, 2005  
PAR/cc: P.M. Esq.  
E.B.H., Esq.