

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JARED S. FOGLE,)
)
 Petitioner,)
)
 v.) No. 1:18-cv-00571-TWP-MPB
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

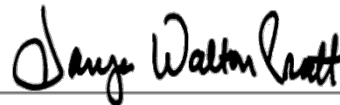
Order Denying Motion to Take Judicial Notice of Facts of Record

Petitioner Jared S. Fogle’s “motion to take judicial notice of facts of record,” dkt. [4], is **denied** as an improper use of Rule 201 of the *Federal Rules of Evidence*. The petitioner, however, may cite to case law, statutes, or other evidence in his brief in support of his amended motion to vacate, set aside, or correct sentence. The Court shall determine the relevance of any such alleged authority at the appropriate time.

The Court reminds Mr. Fogle that he has **through April 6, 2018** in which to either supplement his motion filed on February 12, 2018, (docketed on February 26, 2018), with a complete statement of the claims and grounds on which he could and does challenge his conviction and/or sentence, or withdraw such motion insofar as it could be thought to seek relief authorized by 28 U.S.C. § 2255. He may, in the alternative, notify the Court that the filing of February 12, 2018, does constitute a complete statement of the claims and grounds on which he could and does challenge his conviction and/or sentence. If he does not take one of these steps by April 6, 2018, the motion will be treated as a § 2255 motion and the case will proceed.

IT IS SO ORDERED.

Date: 3/16/2018



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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