

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

KAUWAN EASON, :  
 :  
 Petitioner, :  
 :  
 V. : Case No. 3:10-CV-2021 (RNC)  
 :  
 UNITED STATES OF AMERICA, :  
 :  
 Respondent. :

RULING AND ORDER

In June 2006, petitioner was sentenced to incarceration for 96 months for possession of ammunition by a convicted felon in violation of 18 U.S.C. § 922(g) (1). He now moves pursuant to 28 U.S.C. § 2255 to vacate his sentence based on ineffective assistance of counsel. He alleges that he asked his lawyer to appeal the sentence on the ground that it was imposed in violation of the Equal Protection Clause because other defendants received less time. He further alleges that he was under the impression an appeal had been filed. For the reasons stated below, the motion is denied.

Petitioner's motion to vacate his sentence is time-barred. Under 28 U.S.C. § 2255(f), such a motion must be filed within one year after the judgment becomes final. In this case, the judgment became final on or about July 25, 2007. Petitioner did not file his motion until December 22, 2010, more than two years after the filing deadline. Petitioner alleges no extraordinary circumstances justifying equitable tolling. See Valverde v. Stinson, 224 F.3d 129, 134 (2d Cir. 2000).

