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DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
ALI PARTOVI,  
Defendant.

Criminal Case No. 01-00120  
Civil Case No. 11-00024

**ORDER RE: MOTION TO VACATE  
INDICTMENT OF RECORDS OF  
DEFENDANT ALI PARTOVI FOR  
FALSE USE OF PASSPORT**

This matter comes before the court on the motion of the Defendant Ali Partovi (“the Defendant”) proceeding *pro se*, entitled “Motion to Vacated [*sic*] Indictment of Records of Defendant Ali Partovi wherein he apparently requests the court vacate his conviction for False Use of Passport in the above-captioned case. See Docket No. 17. He also filed a motion for leave to proceed in forma pauperis. See Docket No. 18. In essence, the Defendant apparently requests the court vacate his conviction.

28 U.S.C. § 2255(f) provides in relevant part: “A 1-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of . . . the date on which the judgment of conviction becomes final.” Here, the Judgment of conviction was entered on April 26, 2002. See Docket No. 15. Thus, the Defendant has far exceeded the one-year statute of limitations period. Accordingly, his motion is **DENIED**.

**SO ORDERED.**



/s/ Frances M. Tydingco-Gatewood  
Chief Judge  
Dated: Aug 30, 2011