

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :
 :
 v. : 3:00-CR-158 (AWT)
 : 3:04-CV-2031 (AWT)
 :
 MIGUEL GUERRERO-CEDENO, : December 15, 2005

**GOVERNMENT'S RESPONSE TO DEFENDANT GUERRERO-CEDENO'S
MOTINO FOR INCLUSION OF ADDITIONAL CASES**

On December 8, 2004, the Court issued an Order to Show Cause directing the Government to file a response to a motion under 18 U.S.C. § 2255 filed by the defendant, Miguel Guerrero-Cedeño, also known as "Miguel Machuca." The Government responded to the Court's order on January 5, 2005. The defendant has now filed a "Motion to Include Additional Cases," which he feels support his claim. The cases he cites, *United States v. Crosby*, 397 F.3d 103 (2d Cir. 2005); *United States v. Gonzalez*, 420 F.3d 111 (2d Cir. 2005); and *United States v. Cordova-Murgas*, 422 F3d 65 (2d Cir. 2005), do not affect the arguments made by the Government in its January 2005 response, or, in the Government's view, the appropriate outcome of this litigation.

Accordingly, for all of the reasons set forth in the Government's original response, the

Court should deny the defendant's claim for relief.

Respectfully submitted,

KEVIN J. O'CONNOR
UNITED STATES ATTORNEY

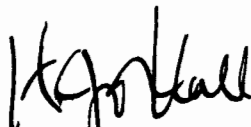


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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December 2005, a copy of the foregoing was sent by first-class mail to:

MIGUEL GUERRERO-CEDENO, aka Miguel Machuca
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