

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO: 8:20-cr-234-CEH-AAS

CLIFFORD EDWARD  
ALBRITTON, III

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**ORDER**

This matter comes before the Court on Defendant Clifford Edward Albritton, III's ("Albritton") letter to the Court (Doc. 318) seeking post-conviction relief, filed December 28, 2023. Although docketed as a "motion for reconsideration," the Court recognized the motion was, in essence, a motion to vacate under 28 U.S.C. § 2255. The Court deferred ruling on the motion, and before treating it as a Section 2255 motion, the Court gave Albritton the appropriate *Castro*<sup>1</sup> warning regarding successive Section 2255 motions. Doc. 320. Thereafter, Albritton was directed to advise the Court whether he intended to proceed under 28 U.S.C. § 2255 on the claims in his motion, amend his motion to assert any additional claims under Section 2255, or withdraw his motion. Doc. 320 at 3. In response to the Court's order, Albritton filed a Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody on July 29, 2024. Doc. 325. His motion has been docketed as a

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<sup>1</sup> *Castro v. United States*, 540 U.S. 375 (2003).

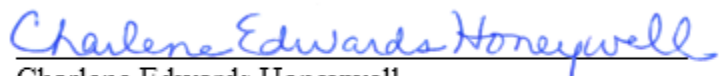
separate civil action and is pending before the Court. *See* Civil Action 8:24-cv-1789-CEH-AAS. Albritton's Section 2255 action will be addressed in due course.

Accordingly, as Albritton has now filed the new Section 2255 action, his letter to the Court (Doc. 318) seeking post-conviction relief, which was docketed as a "motion for reconsideration" is due to be denied as moot. It is hereby

**ORDERED:**

1. Defendant's Motion for Reconsideration (Doc. 318) is **DENIED** as **moot**.

**DONE AND ORDERED** in Tampa, Florida on January 15, 2025.

  
Charlene Edwards Honeywell  
United States District Judge

Copies to:  
Counsel of Record  
Clifford Albritton, III, pro se