

Motion to vacate his guilty pleas and sentences and set aside convictions

Ted Kaczynski

April, 1999

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Apr 23 1999

In The United States District For The Eastern District of California

Theodore John Kaczynski Petitioner,

v.

United States Respndent

Criminal Actions No

CR-5-96-259 GEB

and

CR-5-98-21 GEB

Combined verified Pro Se Motion under 28 U.S.C. 2255 to vacate guilty pleas and sentences and set aside convictions; motion for leave to amend this motion following sufficient time to investigate and present additional facts or claims about which they are incarcerated. Pro Se petitioner is at present unaware; motion to recuse the honorable Garland E. Burrell, Jr.

Theodore John Kaczynski

04475-046

P.O. Box 8500

Florence CO 81226-8500

Pro Se

Acknowledgements

I would like to thank Professor Michael Mello, of Vermont Law School, and three law students who worked under his direct supervision, Ingrid Bussom, Jason Ferreira, and Rich Hentz, without whose generous, pro bono assistance I could not have prepared this petition. I emphasize strongly that Professor Mello and his students are in no way responsible for the defects of this petition. Owing to certain circumstances, I was obliged to prepare this petition in great haste within a period of little more than two weeks. Consequently, I was not able to take full advantage of the ideas and legal information which Professor Mello and his students had previously provided me, nor was I able to submit this petition to them for their criticisms.

I would also like to acknowledge the fact that Quin Denvir and Judy Clarke generously, efficiently, and promptly provided me with documents that I needed for the preparation of this petition, and helped me with mechanical details such as the wording of the Verification and the Certificate of Service, even though they knew that this petition would be sharply critical of their performance in my case.

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(b) Kaczynski's attorneys caused a three-week delay, from November 25, to December 18, 1997, in Kaczynski's bringing his conflict with them to the attention of Judge Burrell.

(c) The December 22 agreement and the period from December 22, 1997 to January 5, 1998.

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I. Preliminary Information

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APR 23 1999

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THEODORE JOHN KACZYNSKI

Petitioner,

CIV. S-99- 816 GEB P
Criminal Actions No

v.

CR-S-96-259 GEB

and

UNITED STATES

✓ CR-S-98-21 GEB

Respondent

COMBINED VERIFIED PRO SE MOTION UNDER
28 U.S.C. § 2255 TO VACATE GUILTY
PLEAS AND SENTENCES AND SET ASIDE
CONVICTIONS; MOTION FOR LEAVE TO
AMEND THIS MOTION FOLLOWING SUFFICIENT
TIME TO INVESTIGATE AND PRESENT
ADDITIONAL FACTS OR CLAIMS ABOUT
WHICH THE INCARCERATED, PRO SE
PETITIONER IS AT PRESENT UNAWARE;
MOTION TO RECUSE THE HONORABLE
GARLAND E. BURRELL, JR.

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Florence CO 81226-8500

Pro Se

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