FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

AO 243 (Rev. 09/17)

MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY

JAN 27 2026
KEVIN P. WEIMER, Clerk
By: Deputy Clerk

United States District Court	District	
Name *(under which you were convicted)*: Carl Delano TORJAGBO		Docket or Case No.:
Place of Confinement: ROBERT A DEYTON DETENTION CTR	Prisoner No.: 00772510	
UNITED STATES OF AMERICA V.	Movant *(include name under which convicted)*: Carl Delano TORJAGBO	

MOTION

1. (a) Name and location of court which entered the judgment of conviction you are challenging:
United States District Court Northern District of Georgia

(b) Criminal docket or case number (if you know): 1:22-cr-00171-MLB-RDC

2. (a) Date of the judgment of conviction (if you know): July 25th 2025
(b) Date of sentencing: January 26th 2026

3. Length of sentence: 175 months

4. Nature of crime (all counts): (1) Bank Fraud (2) Wire Fraud (3) Concealment money laundering (4) Transactional money laundering
10 Count total

5. (a) What was your plea? (Check one)
(1) Not guilty ☑ (2) Guilty ☐ (3) Nolo contendere (no contest) ☐

6. (b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, what did you plead guilty to and what did you plead not guilty to?

6. If you went to trial, what kind of trial did you have? (Check one) Jury ☑ Judge only ☐

7. Did you testify at a pretrial hearing, trial, or post-trial hearing? Yes ☑ No ☐

8. Did you appeal from the judgment of conviction? Yes ☐ No ☑

9. If you did appeal, answer the following:

(a) Name of court: _____

(b) Docket or case number (if you know): _____

(c) Result: _____

(d) Date of result (if you know): _____

(e) Citation to the case (if you know): _____

(f) Grounds raised:

(g) Did you file a petition for certiorari in the United States Supreme Court? Yes ☐ No ☑

If "Yes," answer the following:

(1) Docket or case number (if you know): _____

(2) Result: _____

(3) Date of result (if you know): _____

(4) Citation to the case (if you know): _____

(5) Grounds raised:

10. Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications, concerning this judgment of conviction in any court?

Yes ☑ No ☐

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: United States District Court Northern District of Georgia

(2) Docket or case number (if you know): 1:25-cv-05168

(3) Date of filing (if you know): 9/8/2025

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(4) Nature of the proceeding: None

(5) Grounds raised:

VIOLATION OF Constitutional Rights 14th and 6th amendment Rights

(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐ No ☑

(7) Result: Dismissed due to Premature filing without prejudice

(8) Date of result (if you know):

(b) If you filed any second motion, petition, or application, give the same information:

(1) Name of court: United States District Court Northern District of Georgia

(2) Docket of case number (if you know): 1:25-CV-05672

(3) Date of filing (if you know): 10/1/2025

(4) Nature of the proceeding: None

(5) Grounds raised:

Duplicate filing of 1:25-CV-05168

(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐ No ☑

(7) Result: Dismissed dup to Premature filing without Prejudice

(8) Date of result (if you know):

(c) Did you appeal to a federal appellate court having jurisdiction over the action taken on your motion, petition, or application?

(1) First petition: Yes ☐ No ☑

(2) Second petition: Yes ☐ No ☑

(d) If you did not appeal from the action on any motion, petition, or application, explain briefly why you did not:

There is no need to appeal since the reason for dismisal was due to the fact that the motion could only be brought after I was sentenced. I was not eligible to file the motion when I did

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8. Did you appeal from the judgment of conviction? Yes ☐ No ☑

9. If you did appeal, answer the following:

(a) Name of court: _____

(b) Docket or case number (if you know): _____

(c) Result: _____

(d) Date of result (if you know): _____

(e) Citation to the case (if you know): _____

(f) Grounds raised:

(g) Did you file a petition for certiorari in the United States Supreme Court? Yes ☐ No ☑

If "Yes," answer the following:

(1) Docket or case number (if you know): _____

(2) Result: _____

(3) Date of result (if you know): _____

(4) Citation to the case (if you know): _____

(5) Grounds raised:

10. Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications, concerning this judgment of conviction in any court?

Yes ☑ No ☐

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: United States District Court Northern District of Georgia

(2) Docket or case number (if you know): 1:25-cv-5168 1:25-cv-05672

(3) Date of filing (if you know): 9/8/2025 and 10/1/2025

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12. For this motion, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Violation of my 14th Amendment rights

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Pleas See attachment

(b) **Direct Appeal of Ground One:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☑

(2) If you did not raise this issue in your direct appeal, explain why:

NO Direct Appeal has been filed

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☑ No ☐

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: Motion to Vacate Conviction

Name and location of the court where the motion or petition was filed:

United States District Court Northern District of Georgia

Docket or case number (if you know): 1:22-Cr-00171-MLB-RDC Docket 240

Date of the court's decision: 10/7/2025

Result (attach a copy of the court's opinion or order, if available): motion was Denied for not Complying with Local Rule 57.1 D(3). motion was filed Pro Se

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☑

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☑

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: The Dead line for filing any post trial motion had Passed by the time I Sot a new attorney

GROUND TWO: Violation of my 6th amendment Rights

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Please See attachment

(b) **Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☑

(2) If you did not raise this issue in your direct appeal, explain why:

No Direct appeal has been filed

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☑ No ☐

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: Motion to Vacate Conviction

Name and location of the court where the motion or petition was filed:

United States District Court Northern District of Georgia

Docket or case number (if you know): 1:22-cr-00171-MLB-RDC Docket 240

Date of the court's decision: 10/7/2025

Result (attach a copy of the court's opinion or order, if available): Pro Se motion was Denied for not Complying with Local Cr Rule 5.1 D(3)

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☑

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☑

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐ No ☑

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: The time for filing any Post Conviction motion has passed by the time I got a new attorney

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GROUND THREE: Violation of 5th amendment Rights

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Please See attachment

(b) **Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☑

(2) If you did not raise this issue in your direct appeal, explain why:

No Direct appeal has been filed

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☑

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed:

_____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available):

_____

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☑

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☑

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue: Time for filing any post trial motion had passed by the time I got a new attorney

GROUND FOUR: N/A

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

Yes ☐ No ☐

(2) If you did not raise this issue in your direct appeal, explain why:

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☐

(2) If you answer to Question (c)(1) is "Yes," state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed:

_____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available):

_____

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☐

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☐

(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?

Yes ☐ No ☐

(6) If your answer to Question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

_____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available):

_____

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

_____

13. Is there any ground in this motion that you have not previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

Violation of 5th amendment rights. Time for filing any post trial motion has passed before I got a new attorney. Also I had not been Sentenced yet So I Could not file the motion Under 28 USCS 2255 Until I was Sentenced

_____

14. Do you have any motion, petition, or appeal now pending (filed and not decided yet) in any court for the you are challenging? Yes ☐ No ☑

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At the preliminary hearing:

Mr. Kendal Silas, Mr. Strongwater

(b) At the arraignment and plea:

Mr. Kendal Silas, Mr. leigh Finlayson

(c) At the trial:

Mr. leigh Finlayson

(d) At sentencing:

Mrs Sandra Michaels

(e) On appeal:

(f) In any post-conviction proceeding:

(g) On appeal from any ruling against you in a post-conviction proceeding:

16. Were you sentenced on more than one court of an indictment, or on more than one indictment, in the same court and at the same time? Yes ☑ No ☐

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes ☐ No ☑

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed:

(c) Give the length of the other sentence:

(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future? Yes ☐ No ☐

18. TIMELINESS OF MOTION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2255 does not bar your motion.*

N/A

* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of –

(1) the date on which the judgment of conviction became final;

(2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;

(3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or

(4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

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Therefore, movant asks that the Court grant the following relief: Vacate all ten Counts of the Convictions and Sentence

or any other relief to which movant may be entitled.

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Motion under 28 U.S.C. § 2255 was placed in the prison mailing system on Hand delivered by Attorney Sandra Michaels
(month, date, year)

Executed (signed) on January 26th 2026 (date)

Signature of Movant

If the person signing is not movant, state relationship to movant and explain why movant is not signing this motion.