

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

HARRESCIA HOPKINS,

Defendant.

CRIMINAL ACTION NO.

1:22-CR-0284-SEG

ORDER

Defendant Harrescia Hopkins pleaded guilty on December 20, 2022, to two counts of wire fraud (18 U.S.C. § 1343) for submitting two fraudulent applications for Paycheck Protection Program (“PPP”) loans on behalf of “Hopkins Towing and Storage,” a fake business. (Doc. 19.) She was sentenced on June 8, 2023, to five months of imprisonment to be followed by two years of supervised release. (Doc. 35.)

On August 14, 2023, Ms. Hopkins filed a pro se motion to vacate, set aside, or correct the sentence pursuant to 28 U.S.C. § 2255. (Doc. 44.) The motion was scant on details and listed the sole ground for relief as “misrepresentation.” (*Id.* At 6.) On August 22, 2023, the Magistrate Judge directed Ms. Hopkins to file an amended petition to “provide additional details so that the Court can better understand the claim that Movant seeks to raise.”

(Doc. 45 at 1.) On August 31, 2023, Ms. Hopkins filed a more fulsome amended motion asserting ineffective assistance of counsel. (Doc. 46.)

On February 26, 2024, the Magistrate Judge issued a Report and Recommendation (“R&R”) on the § 2255 motion. (Doc. 49.) The Magistrate Judge noted that Ms. Hopkins completed the custodial portion of her sentence in February 2024 but “has not provided the Court with an updated address since she was released.” (*Id.* at 2.) The Magistrate Judge recommends that the § 2255 motion be dismissed without prejudice because management of the case is adversely affected by Ms. Hopkins’s failure to keep her contact information current. Ms. Hopkins has not filed any objections to the R&R.

The Court recognizes that the period following release from incarceration can be one of significant transition. The Court is therefore disinclined to dismiss the § 2255 motion for Ms. Hopkins’s failure immediately to update her address upon her release.¹ Ms. Hopkins is DIRECTED to file a notice updating her contact information by May 3, 2024.

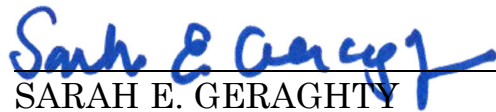
The Government is DIRECTED to file a response to the § 2255 motion within 45 days of the entry date of this order. The Clerk is DIRECTED to mail a copy of this order to Ms. Hopkins at the following addresses:

¹ The Court accordingly declines to adopt the Magistrate Judge’s R&R. (Doc. 49.)

Harrescia Hopkins
Reg. No. 15535-510
FMC Lexington Atwood Unit
P.O. Box 14525
Lexington, KY 40512

Harrescia Hopkins
1509 Conley Way
Conley, GA 30288

SO ORDERED this 15th day of April, 2024.


SARAH E. GERAGHTY
United States District Judge