

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

-----X **Docket # 3:16-cv-00781-RJC**
UNITED STATES OF AMERICA,

-against-

CORVAIN T. COOPER,

**MOTION TO SUPPLEMENT
MOTION TO VACATE, SET ASIDE
OR CORRECT SENTENCE
PURSUANT TO 28 U.S.C. § 2255**

Defendant.

-----X **Before: Hon. Robert J. Conrad, Jr.**

COMES NOW the Petitioner, CORVAIN T. COOPER, by and through undersigned counsel, and hereby moves this Court to supplement his motion to vacate and set aside his conviction and sentence, originally filed on November 10, 2016, and amended on November 11, 2016:

1. Since Mr. Cooper's last filing, one of his predicate felony convictions has been vacated. Petitioner has applied for Proposition 64 relief from the predicate conviction in Case # BH SA 07215401, Beverly Hills, California, as alleged in the § 851 enhancement, through California counsel. On May 24, 2017, the California court vacated the felony conviction and replaced it with a misdemeanor conviction. **(Exhibit B)**. Accordingly, Petitioner is entitled to relief for the reasons set forth in the prior filings.

2. Petitioner respectfully requests that this Court permit him to supplement his original petition with the foregoing information, and that this Court consider the same.

3. The Government opposes this application.

WHEREFORE, undersigned counsel respectfully requests that this Court permit Petitioner to supplement his § 2255 petition.

Dated: Orlando, Florida
June 8, 2017

Respectfully Submitted,

/s/Patrick Michael Megaro, Esq.
Patrick Michael Megaro, Esq.
Halscott Megaro, P.A.
33 East Robinson Street, Suite 210
Orlando, Florida 32801
(o) 407-255-2164
(f) 855-224-1671
pmegaro@halscottmegaro.com
Florida Bar ID# 738913
New Jersey Bar ID# 3634-2002
New York Bar ID# 4094983
North Carolina Bar ID# 46770
Texas Bar ID # 24091024
Washington State Bar ID # 50050

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 8, 2017, I served a copy of the foregoing upon the parties listed below:

Clerk of the Court
United States District Court
Eastern District of North Carolina
VIA ECF

Elizabeth Greenough, Esq.
United States Attorney's Office
Eastern District of North Carolina
VIA ECF

/s/Patrick Michael Megaro, Esq.
Patrick Michael Megaro, Esq.