IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RICHARD BAILEY,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 97 C 7665
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
	)	

MEMORANDUM ORDER

More than 20 years have elapsed since this Court, following a week-long evidentiary hearing relating to the sentencing of Richard Bailey ("Bailey") on other crimes to which he had pleaded guilty, held by a preponderance of the evidence that he had been so substantially involved in the murder of Helen Brach as to justify the enhancement of his sentence to one commensurate with that involvement. Now, through a filing authored by Frank Amodeo, he has sought to return to the well once again with a new Fed. R. Civ. P. ("Rule") 60(b) motion in an effort to seek relief that has repeatedly been denied him.

For a full understanding of what has gone before, the best encapsulated account of Bailey's earlier efforts may be found in our Court of Appeals' unpublished order (the "Order") issued more than four years ago in its Case No. 12-3400 dated April 9, 2013. There is no need to recount the history of Bailey's numerous unsuccessful attacks -- it suffices to quote this brief portion of the Order that spoke of Bailey's earlier motion that sought to invoke Rule 60(b) in connection with his 28 U.S.C. § 2255 proceeding:

But the motion was still properly denied as untimely because Rule 60(b) motions must be filed "within a reasonable time," Fed. R. Civ. P. 60(c)(1), and here Bailey's motion came almost 15 years after his § 2255 motion was dismissed.

Bailey's current effort can fare no better, and the Government's response (Dkt. No. 57) filed August 18, 2017 explains that Bailey is not aided in that respect by the decision in Beckles v. United States, 137 S. Ct. 886 (2017). Accordingly Bailey's current Rule 60(b) motion is also denied as untimely.

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Milton I. Shadur
Senior United States District Judge

Date: August 22, 2017