

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KEEMIT HAND,
Movant,

v.

UNITED STATES OF AMERICA,
Respondent.

Criminal Action No.
1:01-CR-0513-SDG-LTW-4

Civil Action No.
1:24-CV-2674-SDG-LTW

ORDER

This matter is before the Court on various pending items. First is the Report and Recommendation (R&R) of former United States Magistrate Judge Linda T. Walker [ECF 437], which recommends that the United States of America's motion to dismiss [ECF 436] be **GRANTED**, that Keemit Hand's motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 [ECF 425] be **DISMISSED**, and that a Certificate of Appealability be **DENIED**. Hand was granted leave to file a late opposition to the United States' motion and late objections to the R&R [ECF 443], which undersigned has carefully reviewed and considered. Considering the matter on a *de novo* basis, undersigned concludes that the R&R is correct. Hand's § 2255 motion is impermissibly successive and no exception applies. Specifically, Hand's previous conviction was not vacated and remains valid.

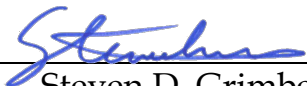
Accordingly, the R&R [ECF 437] is **ADOPTED** as the Order of the Court. The United States' motion to dismiss [ECF 436] is **GRANTED**. Hand's motion to

vacate, set aside, or correct sentence under 28 U.S.C. § 2255 [ECF 425] is **DISMISSED**. The Clerk is **DIRECTED** to close Civil Action Number 1:24-cv-2674-SDG-LTW. Moreover, the Court **DECLINES** to issue a certificate of appealability because resolution of the issues presented is not debatable. If Hand wants appellate review of this ruling, he may seek a certificate of appealability from the Eleventh Circuit Court of Appeals under Fed. R. App. P. 22. *See* R. 11(a), R. Governing § 2255 Cases in the U.S. Dist. Cts.

Next is Hand's motion for relief under 18 U.S.C. § 3582(c)(1)(A) [ECF 463]. Hand's motion is **DENIED**, in that the Court finds that the articulated circumstances for requesting a sentence reduction do not satisfy the high bar of extraordinary and compelling reasons, as required under the statute.

Finally, Hand's related motion to seal [ECF 465] is **GRANTED**. The Clerk is **DIRECTED** to maintain Exhibit 4 to Hand's motion for relief under 18 U.S.C. 3582(c)(1)(A) [ECF 463-4] under permanent seal.

SO ORDERED this 8th day of September, 2026.



Steven D. Grimberg
United States District Judge