

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 06-20172
Honorable Thomas L. Ludington

ROBERT JAMES OCAMPO,

Defendant.

ORDER DENYING DEFENDANT’S MOTIONS FOR CERTIFICATION

Defendant Robert James Ocampo was convicted after a jury trial of seven narcotics and firearms counts on November 20, 2007. On July 7, 2008, he was sentenced to more than thirty years in prison. [Dkt. # 223]. Two days later, he filed a notice of appeal to the Sixth Circuit. *See* case # 08-1930; [Dkt. # 221]. On November 15, 2010, the Sixth Circuit issued an opinion and order affirming Defendant’s conviction and sentence. [Dkt. # 330].

On April 29, 2011, and again on May 2, 2011, Defendant filed identical motions “for certification.” It appears that Defendant would like the Court to “certify” a question about federal law to the United States Supreme Court. Specifically, he is apparently concerned about a circuit split regarding issues related to cumulative error. This Court may certify questions of state law to a state supreme court, E.D. Mich. L.R. 83.40, but a similar procedure does not exist for certifying questions of federal law to the United States Supreme Court. Defendant must raise the issue in this Court first, and if he is unsuccessful, he may have an opportunity to seek appellate review in the Sixth Circuit Court of Appeals or the United States Supreme Court.

Accordingly, it is **ORDERED** that Defendant's motions for certification [Dkt. # 341, 342] are **DENIED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: May 9, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and upon Robert James Ocampo, #03204032, FCC - Medium, P.O. Box 6000, Florence, CO 81226-6000 by first class U.S. mail on May 9, 2011.

s/Tracy A. Jacobs
TRACY A. JACOBS