

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

MEMORANDUM AND ORDER
04-CR-381 (ARR)

SHAFFICK KALLOO,

Defendant.

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Gold, S., United States Magistrate Judge:

On May 7, 2004, defendant Shaffick Kalloo was entered a plea of guilty to a felony information charging him with a single count of mail fraud, 18 U.S.C. § 1341. Kalloo was sentenced to a term of probation on May 23, 2006.

On January 3, 2008, Kalloo filed a motion seeking a certificate of relief from civil disabilities, arguing in essence that his conviction was preventing him from securing employment as a project manager in the steel construction industry. United States District Judge Allyne R. Ross referred Kalloo's motion to me for decision by order dated January 4, 2008.

The government submitted its opposition to Kalloo's motion by letter dated January 25, 2008. In its letter, the government points out that a certificate of relief from civil disabilities is a creature of state law, and that federal courts have repeatedly concluded that they lack jurisdiction to award such a certificate. The authorities cited in the government's letter support this assertion. *See United States v. Grossa*, 446 F.2d 902 (2d Cir. 1971); *United States v. Reich*, 2007 WL 2891600 (E.D.N.Y. Sept. 28, 2007) (concluding that application for certificate of relief from civil disabilities, even when sought in connection with a federal court conviction, is properly made to the New York State Board of Parole); *United States v. Fierman*, 2002 WL 31640575 (S.D.N.Y. Nov. 20, 2002)

(same). Defendant Kalloo does not cite any contrary authority in his original motion papers, and has not submitted a reply to the government's letter.

For all these reasons, defendant Kalloo's motion for a certificate of relief from civil disabilities is denied.

SO ORDERED.

/s/

Steven M. Gold
United States Magistrate Judge

Brooklyn, New York
February 24, 2008

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