

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-30752  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ALLEN JERRY FIELDS, JR.,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 97-CV-512  
- - - - -

April 8, 1998

Before JOLLY, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Allen Jerry Fields, Jr., federal prisoner #08388-035, appeals from the district court's dismissal of his 28 U.S.C. § 2255 motion to vacate, set aside, or correct sentence. Fields contends that the district court erred in dismissing his § 2255 motion as barred by the one-year statute of limitations set forth in § 2255. Because Fields filed his § 2255 motion on March 10, 1997, or within a year of the effective date of the Antiterrorism and Effective Death Penalty Act, Fields' § 2255 motion was not time-barred. United States v. Flores, 135 F.3d 1000, 1004-06

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

(5th Cir. 1998). The district court's judgment dismissing Fields' § 2255 motion on statute-of-limitations grounds is VACATED and the case is REMANDED for further proceedings.