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judge told me in the court room is extremely different from what he promised [m]e”; that his lawyer “made deal [sic] with prosecution that the punishment period will be reduced to 9-10

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<sup>3</sup>Appended to Williams' Motion to Vacate is a memorandum of law that is also entitled

conclusions of law. Williams submitted a memorandum on June 27, 2001; the Government

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even when there were no grounds for an appeal. (H. 44-45). Richman has also filed Anders









The Supreme Court has also held that “counsel has a constitutionally-imposed duty to consult with the defendant about an appeal when there is reason to think either (1) that a rational defendant would want to appeal (for example, because there are nonfrivolous grounds for appeal), or (2) that this particular defendant reasonably demonstrated to counsel that he was interested in appealing.” Roe v. Flores-Ortega, 528 U.S. at 480. This rule is inapplicable to the present case because Williams makes no claim that there was a failure to consult regarding an appeal and because, in any event, Williams never demonstrated to counsel that he wished to appeal. In addition, the Court finds that Richman in fact consulted with Williams regarding an appeal. (H. 42-44, 57-58, 61).

B. Lee’s Alleged Advice Regarding Sentencing

Williams argues that his guilty plea was not entered knowingly and intelligently due to his counsel’s ineffectiveness. See

Williams' letter and containing Williams assertion that Lee promised him he would get "nine to ten months

assistance of counsel claims on direct appeal. Thus, the Second Circuit has held that where there



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<sup>7</sup> On July 4, 2001, Williams, acting pro se

