

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Solomon Alfred Yarteh

v.

Case No. 25-cv-00500-PB-TSM
Opinion No. 2026 DNH 010

United States of America

MEMORANDUM AND ORDER

Solomon Yarteh pleaded guilty to three counts of bank fraud. [No. 21-cv-108, Doc. 157 at 1](#). He was sentenced to forty months in prison and was required to pay \$411,055.21 in restitution. [Id. at 2, 6](#).

Yarteh has filed a motion pursuant to 28 U.S.C. § 2255. [Doc. 1](#). His primary argument is that his conviction does not count as an aggravated felony for immigration-removal purposes, an issue that is not addressable through a section 2255 motion. To the extent that he challenges the Court's restitution award, that issue also cannot be addressed in a section 2255 proceeding. [Smullen v. United States, 94 F.3d 20, 26 \(1st Cir. 1996\)](#). To the extent that Yarteh complains that the Court improperly used the intended loss in determining his guideline sentencing range, he is simply wrong. [United States v. Innarelli, 524 F.3d 286, 290 \(1st Cir. 2008\)](#).

For the reasons set forth in this order, Yarteh's section 2255 motion is denied. I decline to issue a certificate of appealability because Yarteh has not made a substantial showing of the denial of his constitutional rights.

SO ORDERED.

/s/ Paul J. Barbadoro
Paul J. Barbadoro
United States District Judge

January 26, 2026

cc: Counsel of Record
Solomon Alfred Yarteh, pro se