

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

)	CASE NO.
)	
PETITIONER,)	JUDGE
)	
vs.)	MAGISTRATE JUDGE
)	KATHLEEN B. BURKE
)	
WARDEN,)	
)	
)	
RESPONDENT.)	<u>ORDER</u>

A petition, pursuant to 28 U.S.C. § 2254, has been filed in this Court. The Court having examined the petition in accordance with Rule 4 of the Rules Governing § 2254 Proceedings, cannot determine from the face of the petition whether Petitioner is entitled to relief. THEREFORE,

1. Respondent shall file an Answer (“Return of Writ”) to the petition within sixty (60) days from the date of this Order. The Answer shall comply with Rule 5 of the Rules Governing § 2254 Cases and shall address all legal issues raised in the petition. Respondent, as part of its Return of Writ shall also furnish the Court with copies of all transcripts, journal entries, opinions, indictments, affidavits, orders and docket sheets pertaining to the grounds for relief raised by the Petitioner. These copies must be bound separately from the Answer and have a cover containing the case caption with the title “State Court Record.” The State Court Record must contain

an index listing each document included in the record and exhibit number.

Petitioner shall have forty-five (45) days from the filing of Respondent's Return of Writ to file a Reply ("Traverse").

2. Respondent shall have fifteen (15) days from the filing of Petitioner's Traverse to respond thereto.

The above documents shall constitute the briefing on the merits of the petition. Briefs filed by the parties shall contain a summary of the facts upon which they rely and shall, where applicable, make specific reference to those portions of the record by citing to the designated exhibit number and page number. Briefs shall also contain statements of the applicable law and citations to relevant case and statutory authorities. Where applicable, multiple volumes of the record are preferred to a single massive, unwieldy volume.

If a dispositive motion is filed, the movant shall attach documentation in support of the motion, including, but not limited to a certified copy of the docket.

When a party has a change of address, the party must immediately inform the Court of the new address or risk waiver of his/her right to present arguments or the dismissal of his/her case.

IT IS SO ORDERED.

Dated:

KATHLEEN B. BURKE
U.S. MAGISTRATE JUDGE