

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

,

Petitioner,

CASE NO.

Judge

v.

ORDER

,

Respondent.

Magistrate Judge James R. Knepp, II

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, is unable to determine whether the Petitioner is entitled to relief.

THEREFORE,

- (1) Respondent shall file an answer to the petition within forty-five (45) 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.
- (2) Petitioner shall have thirty (30) days from the filing of Respondent's answer to respond by filing a reply.
- (3) Respondent is granted leave of fifteen (15) days from the filing of Petitioner's reply to respond thereto by filing a sur-reply. Respondent should do so when issues or arguments not addressed in the answer are raised in the reply.

The Court shall consider Respondent's decision not to file a sur-reply as certification that all issues and arguments raised by Petitioner have previously been fully addressed.

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 (Page or Exhibit Number). Briefs shall also contain statements of the applicable law and citations to relevant case and statutory authorities.

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 the waiver of his/her right to present arguments or the dismissal of his/her case.

The Clerk of Court shall forward a copy of the petition and this order to the respondent.

IT IS SO ORDERED.

s/ James R. Knepp, II
United States Magistrate Judge

Date: