

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION

PAUL EDWARD KINCAID,)	
)	
Petitioner,)	
)	
v.)	No. 10-3010
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

OPINION

JEANNE E. SCOTT, U.S. District Judge:

This cause is before the Court on Petitioner's Petition under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (d/e 1). The Court now makes the initial consideration of Petitioner's Petition under Rule 4 of the Rules Governing § 2255 Cases.

After a review of the Petition, this Court finds that a summary dismissal is not warranted. Therefore, pursuant to Rule 4, the Court directs the United States to respond to Petitioner's Petition. The response shall discuss the merits and the procedural posture of the Petition. See Rule 5 of the Rules Governing § 2255 Cases.

THEREFORE, the United States Attorney is ordered to file an answer

pursuant to Rule 5 of the Rules Governing 28 U.S.C. § 2255 Cases to
Petitioner's Petition or before March 15, 2010. Any reply by the Petitioner
is due by April 30, 2010.

IT IS THEREFORE SO ORDERED.

ENTER: January 19, 2010

FOR THE COURT:

s/ Jeanne E. Scott
JEANNE E. SCOTT
UNITED STATES DISTRICT JUDGE