

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JONATHAN ELLIS,)	
)	
Petitioner,)	
)	
vs.)	CIVIL ACTION NO. 2:06cv1013-WHA
)	
UNITED STATES OF AMERICA,)	(WO)
)	
Respondent.)	

ORDER

This case is before the court on the Petitioner’s Pro Se “Out of Time Motion for an Additional 30 Day Extension” (Doc. #75), filed on September 28, 2009.

A Recommendation of the Magistrate Judge (Doc. #66) was entered on July 22, 2009, including an order requiring objections to be filed on or before August 3, 2009. On August 2, 2009, the Petitioner’s attorney filed a Motion to Extend Time (Doc. #68), and the Magistrate Judge granted the requested extension by order (Doc. #69), extending the time for filing an objection to September 1, 2009. On August 31, 2009, Ellis filed a *pro se* motion requesting an additional 90 days to file objections (Doc. #70). On September 3, 2009, the Magistrate Judge granted a 15-day extension (Doc. #71). Petitioner’s counsel filed numerous objections on September 20, 2009 (Doc. #72), together with a Motion to File Out of Time (Doc. #73), and the Magistrate Judge entered an order (Doc. #74) granting the Motion to File Out of Time. Therefore, this case is presently pending on the Petitioner’s Objections, which were filed two months after the Report and Recommendation to which the objections are directed.

Ellis now seeks an additional 30 days to file his own objections, separate from the filing of his attorney, stating that he needs additional time to obtain documents he says will show that his sentence would have been shorter than his trial counsel told him, if his other bank robbery cases from other states had been combined under Rule 20. Ellis is vague about the nature of these documents and how they will support his claim. The court has considered this *pro se* motion, together with its attachments, and finds that the Petitioner has not shown sufficient grounds to be allowed a further extension to attempt to assemble some unspecified kind of documents which he thinks will support his case, in addition to everything already submitted by his lawyer. Therefore, it is hereby

ORDERED that the Out of Time Motion for an Additional 30 Day Extension is DENIED.

The court will proceed to conduct a *de novo* review of the case, based on the objections filed on the Petitioner's behalf by his attorney, and the attachments to the Out of Time Motion for an Additional 30 day Extension. No further filings will be considered.

DONE this 29th day September, 2009.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE