

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

DAVID DEJUAN WISE,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 2:08cv17-MHT
	)	(WO)
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER ON MOTION**

Petitioner has filed a motion for leave to amend his 28 U.S.C. § 2255 motion to add a new claim. (Doc. No. 19.) Upon consideration of this motion, it is

**ORDERED** that Petitioner’s motion for leave to amend (Doc. No. 19) be and is hereby GRANTED.

Further, the United States Attorney for the Middle District of Alabama is

**ORDERED** to file a supplemental response addressing the new claim asserted by Petitioner in the amendment to his § 2255 motion within thirty (30) days from the date of this order. If this court is barred from reviewing the petitioner’s claims due to his failure to properly preserve such claim, the government shall provide a factual and legal basis for the procedural default argument. In addition, the government is advised that its response should contain a procedural history and all relevant information, including identification of the claims contained in Petitioner’s original § 2255 motion, from which the court can determine the applicability of the limitation period to the newly asserted claim.

