

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.

