

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02119-BNB

CHARLES WILLIAM FLETCHER,

Applicant,

v.

STEVEN HARTLEY, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 19 2010

GREGORY C. LANGHAM
CLERK

ORDER

On December 11, 2009, Applicant filed a Reply to Respondents' Pre-Answer. In the Reply, Applicant asserts that Respondents have incorrectly relied on the opening briefs he filed in Colorado Court of Appeals Case No. 03CA182 and in Colorado Supreme Court Case No. 06SC605 for their conclusion that he has procedurally defaulted his claims. Applicant contends that the briefs he filed in Case Nos. 09CA143 and 09SC406 will show that he has exhausted his remedies in each of the claims that he raises in this action. Accordingly, it is

ORDERED that within twenty-one days from the date of this Order

Respondents shall respond to Applicant's Reply and provide the briefs identified by Applicant and if necessary a supplement to the Pre-Answer Response. It is

FURTHER ORDERED that Applicant shall have twenty-one days from the date Respondents file copies of the briefs and if necessary a supplement to file a supplement to his Reply.

DATED January 19, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-02119-BNB

Charles William Fletcher III
Prisoner No. 65848
Arkansas Valley Corr. Facility
PO Box 1000
Crowley, CO 81034

Christopher Y. Bosch
Assistant Attorney General
DELIVERED ELECTRONICALLY

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 1/19/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk