

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 11-cv-01090-WJM

TERENCE J. HANKINS, Prisoner No. 147323,

Applicant,

v.

KEVIN MILYARD, Warden, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

ORDER

This matter comes before the Court on Applicant's pleading titled "Aug. 1, 2013, Update & Motion for Release, Based on Delay," ECF No. 43, that was entered on the Docket on August 12, 2013. The Court now having reviewed the pleading hereby FINDS AND ORDERS as follows:

Respondents submitted an Eighth Status Report, ECF No. 42, on August 8, 2013. This Status Report indicates that Applicant filed a reply brief on June 19, 2013, in the direct appeal of his state criminal conviction pending before the Colorado Court of Appeals (CCA). An opinion from the CCA is expected within five months of the June 19 date.

It is therefore ORDERED that Applicant's request for release in the August 12, 2013 pleading, ECF No. 43, is DENIED because delay is not at issue regarding the claims that remain before this Court.

Dated this 13th day of August, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "William J. Martinez", is written over a horizontal line.

William J. Martinez
United States District Judge