

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
District Judge R. Brooke Jackson

Civil Action No. 11-cv-02552-RBJ

ALAN LEWIS,

Applicant,

v.

RICK THALER, Director, Texas Department of Criminal Justice, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

SECOND ORDER TO PROVIDE STATE COURT RECORD AND ANSWER

On December 28, 2011, the Court entered an order instructing Respondent Attorney General of the State of Colorado¹ to file with the Clerk of the Court, in electronic format if available, a copy of the complete record of Mr. Lewis's state court proceedings in Case No. 00CR23, including all documents in the state court file and transcripts of all proceedings conducted in the state court, but excluding any physical evidence (as opposed to documentary evidence) not relevant to the asserted claims. Respondent was directed to submit the record within thirty days of the December 28 Order. Copies of the December 28 Order were sent to the Clerk of the Court for Morgan County District Court and the Court Services Manager.

On January 24, 2012, Respondent Attorney General submitted a Notice to the Court indicating that the record currently was in the possession of the Colorado Court of Appeals and would be provided to the Court within a month. As of the date of this

¹ Respondent Rick Thaler is not required to file an Answer in this action.

Order, the Court has not received the state court record and Respondent has not filed an Answer. Accordingly, IT IS ORDERED:

(1) Within twenty-one days from the date of this order Respondent Attorney General of the State of Colorado shall file with the Clerk of the Court, in electronic format if available, a copy of the complete record of Applicant's state court proceedings in Morgan County District Court case number 00CR23, including all documents in the state court file and transcripts of all proceedings conducted in the state court, but excluding any physical evidence (as opposed to documentary evidence) not relevant to the asserted claims;

(2) Within twenty-one days from the date the state court record is provided to the Court Respondent Attorney General of the State of Colorado shall file an Answer conforming to the requirements of Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts;

(3) Within twenty-one days of the filing of the Answer Applicant may file a Reply, if he desires.

Dated: August 16, 2012 at Denver, Colorado.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Brooke Jackson", with a long, sweeping horizontal stroke extending to the right.

R. Brooke Jackson
United States District Judge