

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02084-BNB

CRAIG ROBLEDO,

Applicant,

v.

BRENDAN SCHAEFFER, and
JOHN DAVIS,

Respondents.

ORDER TO FILE SUPPLEMENT TO PRELIMINARY RESPONSE

As part of the preliminary consideration of the amended Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 21) in this action, the Court ordered Respondents to file a Preliminary Response limited to addressing whether any of Applicant's claims are moot and the affirmative defenses of timeliness under 28 U.S.C. § 2244(d) and/or exhaustion of state court remedies. On November 8, 2013, Respondents filed a Preliminary Response (ECF No. 26) that addresses the affirmative defenses of timeliness under 28 U.S.C. § 2244(d) and/or exhaustion of state court remedies. Respondents do not address in the Preliminary Response whether any of Applicant's claims are moot.

On November 26, 2013, Applicant filed a notice of change of address (ECF No. 27) in which he states that he was released on parole on November 8, 2013. In light of Applicant's release on parole, Respondents will be directed to file a supplement to the Preliminary Response that addresses whether Applicant's claims in the amended

application now are moot. Accordingly, it is

ORDERED that **within twenty-one (21) days from the date of this Order** Respondents shall file a supplement to the Pre-Answer Response that complies with this Order. It is

FURTHER ORDERED that **within twenty-one (21) days of the filing of the supplement to the Preliminary Response** Applicant may file a Reply to the supplement, if he desires.

DATED December 6, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge