

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
District Judge Raymond P. Moore**

Civil Action No. 14-cv-00962-RM

ALEX HOMER LINZY,

Applicant,

v.

FRANCIS FAULK, Warden, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

ORDER

Applicant, Alex Homer Linzy, a Colorado prisoner, has filed an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 challenging the validity of his convictions and sentence imposed in the District Court of County of Denver, Colorado. On July 16, 2014, I entered an Order to Dismiss in Part and for Answer. (ECF No. 21). Respondents filed their Amended Answer to the merits of the remaining claims on August 14, 2014. (ECF No. 31). Applicant's Reply is pending.

On August 28, 2014, Mr. Linzy filed a Motion for Order to Compel Production of Relevant Portions of Record Pursuant to Rule 5(c) of the Rules Governing Section 2254 Cases. (ECF No. 32). In the Motion, Applicant requests copies of all portions of the state court record cited by the Respondents in their Amended Answer.

Rule 5(c) of the Rules Governing Section 2254 Cases states, in relevant part: "The respondent must attach to the answer parts of the transcript that the respondent considers relevant."

Respondents filed a Response to Motion to Compel on September 10, 2014. Attached to the Response are all portions of the state court record cited by Respondents in their Amended Answer. Mr. Linzy thus has been afforded the relief requested in his Motion. Furthermore, Applicant filed his Reply to the Respondents' Answer on September 16, 2014. (ECF No. 34). Accordingly, it is

ORDERED that the Motion for Order to Compel Production of Relevant Portions of Record Pursuant to Rule 5(c) of the Rules Governing Section 2254 Cases. (ECF No. 32) is DENIED as moot.

DATED September 18, 2014, at Denver, Colorado.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written over a horizontal line.

RAYMOND P. MOORE
United States District Judge