

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

ROBERT LEROY SMITH,

Petitioner,

v.

CASE NO. 1:10-cv-00094-MP -GRJ

SECRETARY,
FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent.

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ORDER

This matter is before the Court on Doc. 15, Petitioner’s motion to file a Second Amended Petition, and Doc. 17, Respondent’s response to the motion and motion to re-set the response deadline. Respondent states that he does not oppose Petitioner’s motion to amend, subject to Respondent’s right to assert any applicable timeliness or procedural bars. Upon due consideration, it is **ORDERED**:

1. Petitioner’s motion, Doc. 15, is **GRANTED**. The **Clerk** is directed to file the attachment to the motion as Petitioner’s Second Amended Petition.
2. Respondent’s motion, Doc. 17, is **GRANTED**. Respondent shall have until **January 6, 2011**, to file a response to the Second Amended Petition. Petitioner shall have until **February 8, 2011**, to file a reply, if any.

DONE AND ORDERED this 22nd day of November 2010.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge