

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

JAMES C. STALLWORTH,
Petitioner,

vs.

Case No. 3:08cv424/LAC/EMT

WALT McNEIL,
Respondent.

_____ /

ORDER

This cause is before the court on Respondent's motion to dismiss the habeas petition as untimely (Doc. 10). Before the court rules on this motion, Petitioner shall be given an opportunity to respond.

Accordingly, it is **ORDERED**:

Within **THIRTY (30) DAYS** from the date of docketing of this order, Petitioner shall file a response to Respondent's motion to dismiss.

DONE AND ORDERED this 5th day of January 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE