

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

Aerial D. Yarbrough,)	
)	
Plaintiff,)	
)	
v.)	Case No. 22-1442
)	
United States of America,)	
)	
Defendant.)	

ORDER AND OPINION

Pending before the Court is Petitioner Aerial D. Yarbrough’s Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2255. Pursuant to 28 U.S.C. §2255, the Court’s preliminary review indicates the Petition could have merit and therefore orders Respondent to show cause, if any it may have, within twenty-one (21) days of service of this Order, why said writ should not be granted with respect to Petitioner’s claims.

After Respondent has filed its response, Petitioner is ordered to file any traverse or reply to Respondent’s response within twenty-one (21) days of service of said response on him. The Court warns Petitioner that a failure to reply to the response, under 28 U.S.C. § 2248, will cause the Court to take the allegations in the response to his Petition as true except to the extent that the Court finds from the evidence that they are not true.

IT IS ORDERED that the Clerk of the Court shall serve Respondent with a copy of this Petition and this ORDER.

IT IS FURTHER ORDERED that Petitioner shall serve upon Respondent, or if appearance has been entered by counsel, upon is attorney, a copy of every further pleading or other document submitted for the Court’s consideration. Petitioner shall include with the original paper to be filed

with the Clerk of Court a certificate stating the date that a true and correct copy of any document was mailed to Respondent or its counsel. Any paper received by this Court which has not been filed with the Clerk or which fails to include a certificate of service will be disregarded by the Court.

IT IS FURTHER ORDERED that Petitioner immediately notify the Court of any change in his mailing address. Failure to notify the Court of any change in mailing address may result in dismissal of this lawsuit, with prejudice.

Petitioner also filed a Motion for Leave to Proceed *in forma pauperis*, but he paid his filing fee. Accordingly, Petitioner's Motion to Proceed *in forma pauperis* [2] is MOOT.

ENTERED this day 16th day of February, 2021.

/s/ Michael M. Mihm
Michael M. Mihm
United States District Judge