

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
SPRINGFIELD DIVISION**

SPENCER H. HARRIS,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 09-3201
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**OPINION**

JEANNE E. SCOTT, U.S. District Judge:

This cause is before the Court on Petitioner's Petition under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (d/e 1). The Court now makes the initial consideration of Petitioner's Petition under Rule 4 of the Rules Governing § 2255 Cases.

After a review of the Petition, this Court finds that a summary dismissal is not warranted. Therefore, pursuant to Rule 4, the Court directs the United States to respond to Petitioner's Petition. The response shall discuss the merits and the procedural posture of the Petition. See Rule 5 of the Rules Governing § 2255 Cases.

THEREFORE, the United States Attorney is ordered to file an answer

pursuant to Rule 5 of the Rules Governing 28 U.S.C. § 2255 Cases to  
Petitioner's Petition or before October 16, 2009. Any reply by the  
Petitioner is due by November 30, 2009.

IT IS THEREFORE SO ORDERED.

ENTER: August 13, 2009

FOR THE COURT:

s/ Jeanne E. Scott  
JEANNE E. SCOTT  
UNITED STATES DISTRICT JUDGE