

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

GREGORY MORRIS,)	
)	
Petitioner,)	
)	
v.)	No. 09-3293
)	
LARRY PHILLIPS,)	
)	
Respondent.)	

OPINION

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

This cause is before the Court on Petitioner’s Petition under 28 U.S.C. § 2254 for a Writ of Habeas Corpus (d/e 1) (§ 2254 Petition). The Court will consider the § 2254 Petition under Rule 4 of the Rules Governing § 2254 Cases.

After a review of the § 2254 Petition, this Court finds that a summary dismissal is not warranted. Therefore, pursuant to Rule 4, the Court directs the Attorney General for the State of Illinois to respond to the § 2254 Petition. The response shall discuss the merits and the procedural posture of the § 2254 Petition, i.e. whether Petitioner has exhausted his state remedies and/or procedurally defaulted any claims. See Rule 5 of the Rules

Governing § 2254 cases.

THEREFORE, the Attorney General for the State of Illinois is ordered to file on or before March 1, 2010, an answer, pursuant to Rule 5 of the Rules Governing 28 U.S.C. § 2254 Cases, to Petitioner's § 2254 Petition. Petitioner is given until April 1, 2010, to file any reply.

IT IS THEREFORE SO ORDERED.

ENTER: January 8, 2010

FOR THE COURT:

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