

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
ROCK ISLAND DIVISION

C.T. BUCKLEY,

Petitioner,

v.

STEPHEN DUNCAN, *Warden of  
Lawrence Correctional Center*

Respondent.

Case No. 4:15-cv-04040-SLD

ORDER

Petitioner Buckley filed a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on April 14, 2015. After warning Petitioner that failure to pay the filing fee would result in the dismissal of his case, *see* Oct. 27, 2016 Text Order, the Court dismissed the petition without prejudice. Judgment, ECF No. 3. Petitioner subsequently paid the filing fee. The Court “may relieve a party . . . from a final judgment” for any “reason that justifies relief,” Fed. R. Civ. P. 60(b)(6), and thus it will vacate the judgment against Petitioner due to his payment of the fee.

Pursuant to 28 U.S.C. § 2254 and Rule 4 of the Rules Governing Section 2254 Cases, the Court’s preliminary review indicates that the Petition could have merit and therefore orders Respondent to show cause within 60 days after service of this Order why said writ should not be granted by filing an answer, motion, or other response. 28 U.S.C. § 2243. The Answer shall comply with Rule 5 of the Rules Governing Section 2254 Cases. After Respondent has filed his response, Petitioner is ordered to file any traverse or reply to the response within 30 days after service of said response on him. The Court admonishes Petitioner that a failure to reply to the response pursuant to 28 U.S.C. § 2248 will cause the Court to take the allegations in the response

to the Petition as true except to the extent that the judge finds from the evidence that they are not true.

Petitioner shall serve upon Respondent or, if appearance has been entered by counsel, upon their attorney, a copy of every further pleading or other document submitted for consideration by the Court. Petitioner shall include with the original paper to be filed with the Clerk of the Court a certificate stating the date that a true and correct copy of any document was mailed to Respondent or their 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.

Petitioner must immediately notify the Court of any change in his mailing address. Failure to notify the Court of any change in mailing address will result in dismissal of this lawsuit, with prejudice.

ENTERED: June 1, 2017

s/ Sara Darrow  
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SARA DARROW  
UNITED STATES DISTRICT JUDGE