

## United States District Court, Northern District of Illinois

<b>Name of Assigned Judge or Magistrate Judge</b>	Ronald A. Guzman	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	10 C 3475	<b>DATE</b>	12/8/10
<b>CASE TITLE</b>	U.S. ex rel. Tyrone Alexander (#A-90159) v. Joseph Yurkovich		

**DOCKET ENTRY TEXT:**

Petitioner, having submitted an amended petition in a timely fashion, the Clerk is ordered to re-open this case on the Court's docket. Respondent is ordered to answer the petition or otherwise plead within twenty-one days of the date of this order.

■ [For further details see text below.]

**Docketing to mail notices.**

### STATEMENT

Tyrone Alexander, a state prisoner, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges his 2006 Cook County, Illinois, conviction for possession with the intent to deliver 2.1 grams of cocaine on the grounds that there was insufficient evidence to support his conviction, his conviction was based on "impeached" evidence, and the trial judge violated sentencing guidelines, among others.

Petitioner failed to submit an amended petition in a timely fashion and the Court dismissed this case on July 28, 2010. Petitioner subsequently sought additional time to submit an amended petition, and the Court granted that request, declining to re-open the case until Petitioner submitted a timely, adequate amended petition. The Court granted Petitioner additional time to submit his amended petition, which Petitioner has now submitted in a timely fashion. Consequently, the Clerk is directed to reopen this case on the Court's docket.

Petitioner maintains that he has exhausted state court remedies as to all claims raised in his habeas petition and appears to have filed this action in a timely manner. Accordingly, Respondent is ordered to answer the petition or otherwise plead within twenty-one days of the date this order is entered on the Clerk's docket. This preliminary order to respond does not, of course, preclude the State from making whatever waiver, exhaustion or timeliness arguments it may wish to present.

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**STATEMENT (continued)**

Petitioner is instructed to file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. Petitioner must provide the Court with the original plus a judge's copy (including a complete copy of any exhibits) of every document filed. In addition, Petitioner must send an exact copy of any court filing to the Chief, Criminal Appeals Division, Attorney General's Office, 100 West Randolph Street, 12<sup>th</sup> Floor, Chicago, Illinois 60601. Every document filed by Petitioner must include a certificate of service stating to whom exact copies were sent and the date of mailing. Any paper that is sent directly to the judge or that otherwise fails to comply with these instructions may be disregarded by the court or returned to Petitioner.