

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Respondent,)	
)	
v.)	No. 10 C 4511
)	(06 CR 174-3)
ERNEST MYERS #18545-424,)	
)	
Movant.)	

MEMORANDUM ORDER

Ernest Myers ("Myers"), like the Energizer Bunny, keeps going and going. Most recently, as this Court's July 23, 2010 memorandum opinion and order ("Opinion") stated, he cleared up his intentions as to the treatment of some of his other post-conviction efforts by filing a formal 28 U.S.C. §2255 ("Section 2255") motion, to which the Opinion ordered an answer by the United States. That response is now in hand. Although it is not entirely clear that further input from Myers is needed to resolve all aspects of his Section 2255 motion, this Court is loath to create a situation in which Myers might even arguably contend that he has not been given a full opportunity to present his position.

Accordingly, as provided by Rule 5(d) of the Rules Governing Section 2255 Proceedings for the United States District Courts, Myers is granted leave to file a reply on or before October 19, 2010. If no response is received by that date, this Court will assume that Myers has waived his right to do so and will proceed

to rule on the motion on the basis of Myers' original submission and the government's Answer.



Milton I. Shadur
Senior United States District Judge

Date: September 28, 2010