

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	11 C 737	DATE	5/1/2012
CASE TITLE	Johnny English (K-55015) vs. Gerardo Acevedo		

DOCKET ENTRY TEXT

For the reasons state below, Petitioner's motion to reconsider opinion and order [49] is denied.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

This matter is before the court on Petitioner Johnny English's (English) *pro se* motion for reconsideration. English was charged in state court with murder and attempted murder for shooting two individuals during a robbery, killing one of the victims. English was convicted in a bench trial in state court of first degree murder and attempted first degree murder, and was sentenced to 70 years in prison for the murder and 30 years in prison for the attempted murder. After pursuing the state court appellate process, English filed the petition for writ of habeas corpus (Petition) brought pursuant to 28 U.S.C. § 2254 in this case. Respondent moved to dismiss the Petition as untimely, and on March 20, 2012, this court granted the motion to dismiss. English requests that the court reconsider the March 20, 2012 ruling.

Since English is proceeding *pro se*, the court has liberally construed English's *pro se* filings. *See Greer v. Board of Educ. of City of Chicago, Ill.*, 267 F.3d 723, 727 (7th Cir. 2001)(indicating that a court should "liberally construe the pleadings of individuals who proceed *pro se*"). English argues that, although the Petition was untimely, the court should have found that the limitations period was equitably tolled. (Recon. 1). The court, in its prior ruling, specifically addressed the applicability of the equitable tolling doctrines and concluded that the limitations period should not be equitably tolled. English has not pointed to

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any new evidence or provided any new arguments that show that equitable tolling is warranted in this case. English has not shown that the court erred in any regard in dismissing the Petition. Therefore, the motion for reconsideration is denied.