

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

UNITED STATES OF AMERICA	)	
ex rel. IRENE ROMANIUK #R38932,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 11 C 1719
	)	
SHERYL THOMPSON, WARDEN,	)	
	)	
Respondent.	)	

MEMORANDUM ORDER

Irene Romaniuk ("Romaniuk") has filed a 28 U.S.C. §2254<sup>1</sup> Petition for Writ of Habeas Corpus ("Petition"), challenging her conviction on a first-degree murder charge on which she is currently serving a 45-year sentence. This memorandum order is issued sua sponte because it appears likely that the Petition is barred by limitations.

According to Petition Part I, after her December 13, 2002 conviction Romaniuk pursued a direct appeal through the Illinois Appellate Court for the First District, following which she sought but was denied leave to appeal by the Illinois Supreme Court, and after which the United States Supreme Court then denied certiorari on April 18, 2005.<sup>2</sup> That meant that April 19, 2005 marked the beginning of the one-year limitation period

---

<sup>1</sup> All further references to Title 28's provisions will simply take the form "Section--."

<sup>2</sup> Throughout both those proceedings and the post-conviction proceedings referred to later in the text, Romaniuk was represented by counsel.

prescribed by Section 2244(d)(1)(A).

Next Romaniuk instituted state post-conviction proceedings on October 14, 2005 (Petition Part II.1.B). That filing brought into play the tolling provision of Section 2244(d)(2), with 5 months and 26 days having run on the limitations clock before tolling began. According to Petition Part II, those proceedings followed the same path as Romaniuk's efforts on direct appeal, with the United States Supreme Court denying certiorari on March 22, 2010 (Petition Part I.5).

With the one-year limitations clock thus having recommenced ticking on March 23, 2010, it certainly appears that Romaniuk's current March 11, 2011 filing of the Petition has come several months after the clock ran out. Accordingly, unless on or before April 6, 2011 Romaniuk submits a supplemental filing showing that such is not the case, this Court will be constrained to dismiss the Petition and this action pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.



---

Milton I. Shadur  
Senior United States District Judge

Date: March 15, 2011