

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

UNITED STATES OF AMERICA ex rel.))	
ADAM GRAY #B-77079,)	
)	
Petitioner,)	
)	
v.)	No. 12 C 1743
)	
JOSEPH YURKOVICH, Warden,)	
)	
Respondent.)	

MEMORANDUM ORDER

Nearly 15 years after Adam Gray ("Gray") was convicted of aggravated arson and two counts of first degree murder on which he is serving a sentence of natural life in prison, the "Exoneration Project" of the University of Chicago Law School, with two lawyers from Jenner & Block teaming up with law students, has filed a 28 U.S.C. §2254 Petition for Writ of Habeas Corpus ("Petition"). This Court's threshold review of that filing, as called for by Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, unsurprisingly suggests that part or all of the Petition may be barred by limitations under 28 U.S.C. §2244(d) (1)--indeed, was perhaps time-barred even before any tolling kicked in under 28 U.S.C. §2244(d) (2) by reason of Gray's filing of his first state post-conviction petition.¹

¹ Gray has most recently filed a third such state petition, which has not yet been ruled upon. In that respect his counsel have filed a motion to stay and abey the Petition to allow him to exhaust his state court remedies.

Accordingly this Court orders an initial status hearing for 9:15 a.m. March 20, 2012 to discuss the timeliness issue.² It should then be in a better position to determine what further proceedings are appropriate.



Milton I. Shadur
Senior United States District Judge

Date: March 12, 2012

² Although Gray's counsel have previously designated a March 28 presentment date, it seems to make good sense to address the limitations question at the earliest possible date.