

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LARRY L. EMERSON,)	
)	
Petitioner,)	
)	
vs.)	CIVIL NO. 08-cv-451-WDS
)	
WARDEN HOLLINGSWORTH,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

STIEHL, District Judge:

Petitioner filed this action pursuant to 28 U.S.C. § 2241 challenging his conviction and sentence for money laundering in violation of 18 U.S.C. § 1957. The basis for this action is the recent Supreme Court decision of *United States v. Santos*, 128 S.Ct. 2020 (2008). Also before the Court is Petitioner’s motion for release pending adjudication of his § 2241 action (Doc. 2).

IT IS HEREBY ORDERED that Respondent shall, within twenty-three (23) days of receipt of this application for Writ of Habeas Corpus, answer and show cause why the writ should not issue. Service upon the United States Attorney for the Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois, shall constitute sufficient service.

IT IS FURTHER ORDERED that pursuant to Local Rule 72.1(a)(2), this cause is referred to a United States Magistrate Judge for further pre-trial proceedings.

IT IS FURTHER ORDERED that this entire matter be referred to a United States Magistrate Judge for disposition, as contemplated by Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *should all the parties consent to such a referral.*

IT IS FURTHER ORDERED that Petitioner's motion for release pending adjudication (Doc. 2) is **DENIED**.

IT IS SO ORDERED.

DATED: November 20, 2008.

s/ WILLIAM D. STIEHL
DISTRICT JUDGE