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

DAVID ALLEN AMOS,)	
Petitioner,)	
v.)	Case No. 3:12-cv-141-DRH-DGW
WENDY J. ROAL,)	
Respondent.)	

ORDER

WILKERSON, Magistrate Judge:

The Petition in this matter states that Petitioner was incarcerated in state prison on a state parole violation on December 15, 2004. He was then taken into federal custody on June 24, 2005 and held pending resolution of federal charges against him. Respondent asserts that he was subsequently sentenced by the federal court on March 31, 2006 and that he returned to state custody until his parole violation sentence termed on May 24, 2006. He then was transferred to federal custody where he remains. Petitioner is challenging the manner in which the Bureau of Prisons is crediting the time he physically spent in a federal prison from June 24, 2005 to March 31, 2006. Petitioner contends that this 9 month period should be credited to his federal sentence. Respondent argues that this 9 month period was credited to his state sentence and cannot be credited towards his federal sentence.

In order to fully address the issues raised in the Petition (Doc. 1) and Response (Doc. 6), it is necessary for the Court to examine the state court records related to Petitioner's parole violation and the sentence imposed for that violation.

Pursuant to Rule 5(c) of the Rules Governing Section 2255 Proceedings for the United States District Court (as they apply to this § 2241 Petition), the Respondent shall provide the state

court records related to that parole violation and the sentence imposed. Respondent shall provide the records within 30 days of the date of this Order; if Respondent is unable to acquire the records, she shall inform the Court as soon as possible.

DATED: March 1, 2013

DONALD G. WILKERSON **United States Magistrate Judge**

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