

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

RUBEN GREEN,	)	
	)	
Petitioner,	)	
v.	)	No. 2:11-cv-094-JMS-WGH
	)	
RICHARD BROWN,	)	
	)	
Respondent.	)	

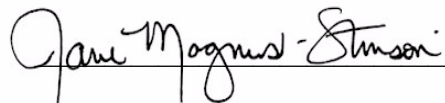
**ENTRY**

The petitioner's motion for reconsider [27] of the court's denial of his motion for an evidentiary hearing is **denied**. See *Patel v. Gonzales* 442 F.3d 1011, 1015-1016 (7th Cir. 2006) ("A motion to reconsider asks that a decision be reexamined in light of additional legal arguments, a change of law, or an argument that was overlooked earlier . . .").

The respondent has abandoned his statute of limitations defense and has replaced it with a defense to the merits of the habeas petition. The petitioner shall have **through November 22, 2011**, in which to reply to the respondent's return to order to show cause filed on October 19, 2011.

**IT IS SO ORDERED.**

Date: 11/04/2011



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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