

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

JOHN W. SICKELS,

Petitioner,

vs.

DAN CRAIG,

Respondent.

No. C 15-4080-MWB

**INITIAL REVIEW ORDER AND
ORDER DIRECTING SERVICE OF
PETITIONER'S § 2254 PETITION**

This case comes before me on the Clerk of Court's periodic review of the status of cases. It appears that petitioner John W. Sickels filed his Petition Under § 2254 For Writ Of Habeas Corpus (docket no. 1), through counsel, on September 18, 2015, in the Southern District of Iowa. At the time of filing, Sickels paid the filing fee of \$5. By Order (docket no. 2), filed on September 24, 2015, this case was transferred to this District pursuant to an agreement between the federal courts in this state concerning the district in which such cases shall be heard. The transfer apparently did not trigger the court's initial review of the Petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases In The United States District Court, which is required in every § 2254 case, even in the absence of an application to proceed *in forma pauperis*. Consequently, it appears that the Petition has never been served. I have now examined Sickels's Petition, and I cannot say that it plainly appears from the Petition that Sickels is not entitled to relief in the district court, so I will direct that it be served on the respondent. Rule 4, Rules Governing Section 2254 Cases In The United States District Court.

THEREFORE,

1. The Clerk of Court is directed to send a copy of Sickels's Petition and a copy of this Order by certified mail to the respondent and the Iowa Attorney General in accordance with Rule 4 of the Rules Governing Section 2254 Cases In The United States District Court; and

2. The respondent is **directed to file an answer** to Sickels's Petition in accordance with Rule 5 of the Rules Governing Section 2254 Cases In The United States District Court by **no later than February 16, 2016.**

IT IS SO ORDERED.

DATED this 31st day of December, 2015.



MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA