

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

MICHAEL JENNINGS

PETITIONER

v.

CIVIL ACTION NO. 3:06-CV-P309-S

JAMES L. MORGAN

RESPONDENT

**ORDER**

For the reasons set forth in the Opinion issued herewith, **IT IS HEREBY ORDERED** that petitioner's application for a writ of habeas corpus is **CONDITIONALLY GRANTED**.

**IT IS FURTHER ORDERED** that unless the State takes action to vacate petitioner's pleas and afford him a new trial within 120 days of the date of this Order, he may apply for a writ ordering respondent to release him from custody forthwith.

**IT IS FURTHER ORDERED** that Respondent serve a copy of this Order and the accompanying Opinion to the appropriate state court and prosecuting attorney within 14 days of receipt of this Order. Respondent must file a proof of service with this Court.



**Charles R. Simpson III, Judge  
United States District Court**