

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

JIMMY WOODROW MAGEE

CIVIL ACTION

VERSUS

NO. 19-9487

WARDEN JASON KENT

SECTION "M"(2)

ORDER AND REASONS

Petitioner, Jimmy Woodrow Magee, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his 2014 Washington Parish conviction for forcible rape and second degree kidnapping for which he is serving 25 years in prison on each count. Rec. Doc. 1, Petition. Magee also filed a "Petition for Enforcement Order" seeking to compel prison officials to provide him with copies of 745 pages of his previously filed petition in the Middle District of Louisiana and documents apparently to be submitted to the court as exhibits to his petition. Rec. Doc. 3.

It is wholly unnecessary to compel prison officials to provide free photocopies to Magee because Magee is not required to provide the court with exhibits or copies of state court pleadings and rulings and must himself provide this court with a properly completed and signed habeas petition. The court will then order the State to present a certified copy of the entire state court record with its response to Magee's petition.

However, before the court can order the State to respond to the petition, Magee is required to provide the specific grounds for relief or claims he asserts to challenge his

conviction. Rule 2(c) of the Rules Governing Section 2254 Cases in part requires that the petition:

- (1) specify all the grounds for relief available to the petitioner;
- (2) state the facts supporting each ground;
- (3) state the relief requested;
- (4) be printed, typewritten, or legibly handwritten; and
- (5) be signed under penalty of perjury by the petitioner or by a person authorized to sign it for the petitioner under 28 U.S.C. § 2242.

The form Section 2254 petition filed by Magee in this court is signed, but is left mostly blank or incomplete. Most importantly, it fails to identify or set out any specific claims or issues for the court to consider. Magee must provide this court with a completed petition, including claims he asserts for overturning his conviction before the matter can proceed. Accordingly,

IT IS ORDERED that Jimmy Woodrow Magee’s “Petition for Enforcement,” Record Doc. No. 3, is **DENIED**.

IT IS FURTHER ORDERED that on or before May 23, 2019, Jimmy Woodrow Magee must file a new, amended petition, completely filled out specifying all of the claims or grounds for relief he asserts, the facts supporting each ground and the relief requested. Failure to file the amended petition will result in a recommendation that the petition be dismissed for failure to prosecute.

New Orleans, Louisiana, this 26th day of April, 2019.



JOSEPH C. WILKINSON, JR.
UNITED STATES MAGISTRATE JUDGE