

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIE MURRAY,

Petitioner,

CASE NO: 06-cv-13283

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

JOHN PRELESNIK,

Respondent.

**OPINION AND ORDER GRANTING PETITIONER'S
REQUEST FOR PERMISSION TO RESUBMIT MOTION TO
LIFT STAY AND MOTION FOR THE APPOINTMENT OF SUBSTITUTE COUNSEL**

Pending before the Court is Petitioner Willie Murray's "Letter Requesting Permission to Resubmit Motions" [dkt. # 37], filed on April 26, 2011.

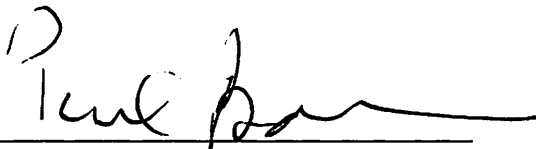
On July 20, 2006, Petitioner, through counsel, filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254, challenging his 1990 convictions for one count of first-degree murder, two counts of kidnapping, two counts of first-degree criminal sexual conduct, one count of felony firearm, and one count of arson of an unoccupied dwelling. Currently, Petitioner is incarcerated at the Thumb Correctional Facility in Lapeer, Michigan, serving the following sentences for those convictions: concurrent terms of life in prison for the murder, kidnapping, and criminal-sexual-conduct convictions, five to ten years for the arson conviction, and a consecutive two-year prison term for the felony-firearm conviction.

On July 15, 2008, Petitioner filed a Motion requesting that his habeas proceedings be stayed because he failed to exhaust his state court remedies concerning the following three claims: prosecutorial misconduct, insufficient evidence, and actual innocence. The Court granted his Motion. *Murray v. Prelesnik*, No. 06-13283 (E.D. Mich. July 28, 2008).

In his Letter, Petitioner alleges that he attempted to file a Motion requesting that the Court lift the stay in his habeas proceedings, but it was not processed and docketed by the Court. He has submitted documentation indicating that he mailed such a Motion from the prison on March 18, 2011. Petitioner also has attached the Supreme Court documents, along with his Letter informing the Court that his appeals have been completed and that he has thus complied with the Court's order.

Having reviewed Petitioner's documentation, the Court concludes that Petitioner has complied with the Court's Order and grants his request. Petitioner must file his Motions with the Court within twenty-one days from the date of this Order.

SO ORDERED.



PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: 7-19-11