

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JON MICHAEL EDGAR,

Petitioner,

v.

CASE NO. 07-12691
HONORABLE PAUL D. BORMAN

LINDA M. METRISH,

Respondent.

ORDER

**(1) GRANTING PETITIONER'S MOTION
TO FILE AN AMENDED HABEAS CORPUS PETITION,
(2) DENYING PETITIONER'S MOTIONS FOR
A DEFAULT JUDGMENT AND AN EVIDENTIARY HEARING, and
(3) DIRECTING RESPONDENT TO FILE THE STATE COURT RECORD**

On June 26, 2007, petitioner Jon Michael Edgar filed a *pro se* habeas corpus petition under 28 U.S.C. § 2254. The Court then ordered Respondent to file a responsive pleading on or before January 10, 2008. Respondent complied with the Court's order by filing a timely answer to the habeas petition on January 10, 2008.

Currently pending before the Court are Petitioner's motions (1) to amend his habeas petition, (2) for an evidentiary hearing, and (3) for a default judgment. The motion to amend the habeas petition [Doc. 3, July 9, 2007] is GRANTED.¹ The motion for a default judgment [Doc. 9, Jan. 15, 2008] is DENIED because Respondent is not in default. She filed a timely answer on January 10, 2008.

The motion for an evidentiary hearing [Doc. 6, Jan. 2, 2008] is DENIED because the

¹ The amended habeas petition was filed on August 6, 2007.

Court is not persuaded that an evidentiary hearing is necessary in light of Respondent's allegation that Petitioner has failed to exhaust state remedies for his claims. Finally, to facilitate review of this case, Respondent is ORDERED to file the relevant state court briefs, orders, and transcripts within **sixty (60) days** of the date of this order.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 5, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 5, 2008.

s/Denise Goodine
Case Manager