

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GREGORY TROTTER,

Petitioner,

Civil No. 2:13-cv-14824
Honorable Denise Page Hood

v.

CARMEN PALMER,¹

Respondent.

ORDER GRANTING PETITIONER'S MOTION TO LIFT STAY [Dkt. 16]

Gregory Trotter, a state prisoner, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 4, 2014, this Court entered an opinion and order holding the case in abeyance so that Petitioner could exhaust his state court remedies. The Court also administratively closed the case. Petitioner has now filed a motion to reopen the case.

Federal courts have the power to order that a habeas petition be reinstated upon timely request by a habeas petitioner. See e.g. *Rodriguez v. Jones*, 625 F. Supp. 2d 552, 559 (E.D. Mich. 2009). Because Petitioner asserts that he has now exhausted his

¹The caption is amended to reflect the current Warden of Petitioner's correctional facility. See *Edwards v. Johns*, 450 F. Supp. 2d 755, 757 (E.D. Mich. 2006); See also 28 U.S.C. foll. § 2254, Rule 2(a).

state court remedies and complied with this Court's order granting the stay, his petition is now ripe for consideration. Accordingly, the Court will order that the case be reopened.

IT IS ORDERED that the petition for a writ of habeas corpus is reinstated to the Court's active docket.

IT IS FURTHER ORDERED that the Clerk of the Court shall serve a copy of the amended petition [Dkts. 20, 22] on the Attorney General for the State of Michigan, Appellate Division.

IT IS FURTHER ORDERED that Respondent shall file a responsive pleading and the Rule 5 materials within sixty (60) days of this order.

S/Denise Page Hood
Denise Page Hood
Chief Judge, United States District Court

Dated: February 8, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 8, 2017, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager