

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CORRINE BAKER,

Petitioner,

Civil No. 2:15-CV-11629

HONORABLE GEORGE CARAM STEEH

v.

SHAWN BREWER,

Respondent.

**OPINION AND ORDER (1) GRANTING THE MOTION TO AMEND THE
PETITION, (2) SETTING DEADLINE FOR RESPONDENT TO FILE A
SUPPLEMENTAL ANSWER AND (3) SETTING DEADLINE FOR A
REPLY BRIEF**

Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, through her counsel David S. Steingold, challenging her conviction for second-degree murder and second-degree child abuse. The petition was held in abeyance during the pendency of her request for a review of her criminal conviction by the Michigan Attorney General Office's Conviction Integrity Unit. (CIU). The case was reopened following completion of that review.

Petitioner has now filed a notice of newly discovered evidence, which is construed as a motion to amend the habeas petition. The motion to amend is granted. Respondent shall file a supplemental answer to this amended

petition within 60 days of this order. Petitioner has 45 days following the filing of the state's answer to file a reply brief if she so chooses.

Petitioner's proposed amended habeas petition should be granted because it advances claims that may have arguable merit. See *e.g. Braden v. United States*, 817 F.3d 926, 930 (6th Cir. 2016).

Respondent shall file an answer to the amended petition within sixty days of the Court's order. See *Erwin v. Elo*, 130 F. Supp. 2d 887, 891 (E.D. Mich. 2001); 28 U.S.C. § 2243. Petitioner has forty five days from the receipt of the answer to file a reply brief, if she so chooses. See Rule 5(e) of the Rules Governing § 2254 Cases, 28 U.S.C. foll. § 2254.

ORDER

IT IS ORDERED THAT:

(1) The motion to amend the petition for a writ of habeas corpus is **GRANTED**.

(2) Respondent shall file a supplemental answer within **sixty (60) days** of the date of this order or show cause why they are unable to comply with the order.

(5) Petitioner shall have **forty five days** from the date that she receives the answer to file a reply brief.

Dated: September 3, 2020

s/George Caram Steeh
GEORGE CARAM STEEH
United States District Judge