

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

BLAYDE GRAYSON

PETITIONER

VS.

CIVIL ACTION NO.: 1:04CV708CWR

**EARNEST LEE, Superintendent, Mississippi
State Penitentiary; MARSHALL L. FISHER,
Commissioner, Mississippi Department of
Corrections; and JIM HOOD, Attorney
General of the State of Mississippi**

RESPONDENTS

ORDER

This matter came before the Court on Petitioner's Motion for Additional Time to Request Leave to Submit a Supplemental Pleading in support of Amended Petition for Writ of Habeas Corpus. [Doc. #70] By this Motion, Petitioner requests an additional sixty days to file that request, making it due on or before May 31, 2016. Petitioner's counsel has been unable to reach counsel for the Respondents to determine whether there would be any objection to this request. The Court, however, understands that the State ordinarily does not oppose a reasonable request for more time. That being the case, and based on the reasons given in the Motion, the Court is of the opinion that the Motion has merit and should be granted.

Also pending before the Court is Petitioner's Third Motion for Leave to Proceed *ex Parte*, *in Camera*, and on a Sealed Record with regard to Application for Expert Assistance pursuant to 18 U.S.C. § 3599(f) [Doc. #64]. This Motion was originally accompanied by an *Ex Parte* Motion for Funding for Expert Assistance; however, because the Motion for Funding was filed prematurely, before the Court had ruled on the request for sealing, the Clerk's office terminated it. The Motion to proceed on a sealed record remains pending, however, and the Court is of the opinion that it has

merit and should also be granted. Petitioner will, therefore, be permitted to file his request for funding under seal, in accordance with the procedures established in L.U.Civ. R. 79 and the Administrative Procedures of the Court.

IT IS, THEREFORE, ORDERED that for Additional Time to Request Leave to Submit a Supplemental Pleading in support of Amended Petition for Writ of Habeas Corpus [Doc. #70] is hereby **granted**, and the Request is due on or before May 31, 2016.

IT IS FURTHER ORDERED that the Third Motion for Leave to Proceed *ex Parte, in Camera*, and on a Sealed Record with regard to Application for Expert Assistance pursuant to 18 U.S.C. § 3599(f) [Doc. 64] is granted, and Petitioner may submit his request for funding *ex parte* and under seal.

IT IS SO ORDERED, this the 5th day of April, 2016.

/s/ Carlton W. Reeves
Hon. Carlton W. Reeves
UNITED STATES DISTRICT JUDGE n