

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

ROGER THORSON

PETITIONER

VS.

CIVIL ACTION NO. 1:12CV67DPJ

**CHRISTOPHER EPPS, COMMISSIONER,
MISSISSIPPI DEPARTMENT OF
CORRECTIONS and JIM HOOD,
ATTORNEY GENERAL**

RESPONDENTS

ORDER ON MOTION FOR BRIEFING SCHEDULE

This matter came before the Court on Petitioner's Motion for Briefing Schedule, by which he seeks leave to supplement his Petition for Writ of Habeas Corpus and asks the Court for the entry of "any type of briefing schedule the Court may deem proper." Respondents have filed no response to the Motion. Finding that all parties have defaulted in the obligations earlier ordered by the Court, the Motion will be granted in part, and denied in part, for the reasons that follow.

In its Order Appointing Counsel, entered in this matter on April 16, 2012, the Court set the following briefing schedule:

Upon Thorson's timely filing of a petition for writ of *habeas corpus*, the Court hereby orders the Respondents to answer that petition within sixty days. The Respondents also shall file a complete copy of the state-court record with the Court within thirty days of service of the answer. Not later than thirty days after service of the answer, Thorson must file and serve a memorandum of law in support of his petition, and, within sixty days of service of Thorson's memorandum, the Respondents shall file a memorandum in response thereto. Thorson may file a reply to the Respondent's response within thirty days of the response's service.

A review of the docket in this case shows that the Petition for Writ of Habeas Corpus was filed on August 15, 2012. Respondents filed their Answer on November 14, 2012. Since that time, there has been no other activity in this case, except for the filing of this Motion. It appearing that Respondents

have failed to timely file the state-court record and that Petitioner has failed to timely file a memorandum in support of his Petition, the Court will set a new schedule for the completion of the briefing in this matter.

IT IS, THEREFORE, ORDERED that Petitioner's Motion for Briefing Schedule [9] is hereby **granted** in part and **denied** in part, as follows:

1. Respondents must file and serve the state-court record on or before June 2, 2014.
2. Petitioner must file and serve a memorandum of law in support of his Petition for Writ of Habeas Corpus on or before June 2, 2014.
3. Respondents must file and serve a responsive memorandum in support of their Answer within sixty days of service of Petitioner's memorandum.
4. Petitioner may file and serve a reply to Respondents' memorandum within thirty days of service of Respondents' memorandum.

IT IS SO ORDERED this 30th day of April, 2014.

s/ Daniel P. Jordan III _____
UNITED STATES DISTRICT JUDGE