

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

BILLY RAY FORD, # 80574

PETITIONER

VS.

CIVIL ACTION NO. 2:08cv268-KS-MTP

STATE OF MISSISSIPPI

RESPONDENT

ORDER DIRECTING RESPONSE TO MOTION

Presently pending before the court is a Motion to Dismiss [25] filed by Respondent on December 28, 2009. Petitioner has not responded to the motion. Because the motion, if granted, could result in the dismissal of this case, the court will afford Petitioner a final opportunity to respond to the motion.

It is, therefore, ORDERED and ADJUDGED that:

1. Petitioner shall file his response to the motion on or before February 5, 2010; and
2. Should Petitioner fail to respond by February 5, 2010, the motion will be considered and ruled upon without his response.

SO ORDERED AND ADJUDGED this the 19th day of January, 2010.

s/ Michael T. Parker

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United States Magistrate Judge