

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

BOBBY L. DIDON, #25582

PETITIONER

VS.

CIVIL ACTION NO. 2:10cv134-KS-MTP

SAMUEL WINCHESTER

RESPONDENT

ORDER DIRECTING RESPONSE TO MOTION

Presently pending before the court is a Motion [5] to Dismiss Pursuant to § 2244(d) filed by Respondent on June 28, 2010. 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 October 8, 2010; and
2. Should Petitioner fail to respond by October 8, 2010, the motion will be considered and ruled upon without his response.

SO ORDERED AND ADJUDGED this the 22nd day of September, 2010.

s/ Michael T. Parker

United States Magistrate Judge