

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

CARLTON MILLER,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:16-CV-488 JAR
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Petitioner’s Motion for Extension of Time to File Final Rebuttal for Motion Under 28 U.S.C. § 2255. (Doc. No. 7) On July 1, 2016, the Government filed its Response in Opposition to Petitioner’s § 2255 motion to vacate, set aside, or correct sentence. (Doc. No. 6) Petitioner requests forty-five (45) days to file his rebuttal. Upon consideration, the Court will grant Petitioner’s request.


Petitioner has attached a “Subpoena Duces Tecum” to his motion seeking the plea agreement and transcripts from his criminal case. Plaintiff’s request for issuance of a subpoena will be denied; however, the Court will direct the Clerk of Court to forward him a copy of his plea agreement.

Accordingly,

**IT IS HEREBY ORDERED** that Petitioner’s Motion for Extension of Time to File Final Rebuttal for Motion Under 28 U.S.C. § 2255 [7] is **GRANTED**. Petitioner shall file his rebuttal **no later than Friday, August 26, 2016**.

**IT IS FURTHER ORDERED** that the Clerk of Court is directed to mail Petitioner a copy of the plea agreement filed in his criminal case, USA v. Miller, 4:14-cr-00353-JAR-1.

Dated this 11<sup>th</sup> day of July, 2016.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE