

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

JUL 23 2011

PATRICK E. DUFFY, JR.
By DEPUTY CLERK, MISSOULA

LLOYD SCOTT MAIER,)	Cause No. CV 11-84-M-DWM-JCL
)	
Petitioner,)	
)	
vs.)	ORDER OF SEVERANCE
)	
WARDEN MIKE MAHONEY;)	
ATTORNEY GENERAL OF)	
THE STATE OF MONTANA,)	
)	
Respondent.)	

On June 8, 2011, Petitioner Lloyd Maier filed this action for a writ of habeas corpus under 28 U.S.C. § 2254. Maier is a state prisoner proceeding pro se.

Maier’s petition contains some claims challenging the conviction and sentence he incurred in 1996 and some claims challenging the denial of his clemency application in September 2010. Rule 1(e) of the Rules Governing Section 2254 Cases in the United States District Courts provides that “[a] petitioner who seeks relief from judgments of more than one state court,” or more than one state agency, “must file a separate petition covering the judgment or judgments of each court.” D. Mont. L.R. 1.11(a)(2)(B)(i) (Dec. 1, 2010) provides that a habeas petition challenging a

conviction must be venued in the county where the prisoner was convicted. Maier was convicted in Yellowstone County, which lies in the Billings Division. L.R. 1.9(a).

Based on the foregoing, the Court enters the following:

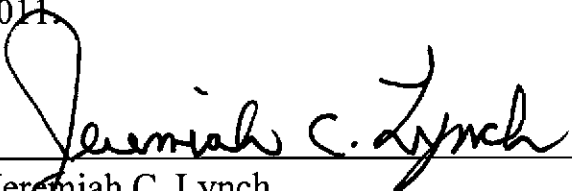
ORDER

1. Maier’s allegations challenging the conviction and sentence he incurred in 1996 are SEVERED from the remaining allegations in his petition. They will not be further addressed in this action.

2. The Clerk of Court shall open a new civil case in the Billings Division and file in it (1) this Order, (2) Maier’s motion to proceed in forma pauperis, (3) the Order of June 10, 2011, granting leave to proceed in forma pauperis, and (4) the petition in this case.

Maier must immediately notify the Court of any change in his mailing address by filing a “Notice of Change of Address.” Failure to do so may result in dismissal of his case without notice to him.

DATED this 29th day of July, 2011.



Jeremiah C. Lynch
United States Magistrate Judge