

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LARRY HOLLADAY,)
)
 Petitioner,)
)
 v.)
)
 DENNIS BAKEWELL, Warden,)
)
 Respondent.)

4:11CV3103

**MEMORANDUM
AND ORDER**

On July 7, 2011, Larry Holladay filed a Petition for a Writ of Habeas Corpus (“Petition”). (Filing No. [1](#).) In his Petition, Holladay asserts three claims for relief. (*Id.*) Holladay also discusses two sets of convictions and sentences: one set from the District Court of Box Butte County, Nebraska, and one set from the District Court of Sheridan County, Nebraska. (*Id.* at CM/ECF pp. 2-3.)

The court has conducted an initial review of the Petition to determine whether Holladay’s claims are, when liberally construed, potentially cognizable in federal court. Upon review, it is unclear which set of convictions and sentences Holladay is challenging. Stated another way, the Petition is not sufficiently specific. Before the court can complete the initial review process, Holladay must amend his Petition. In particular, Holladay must specify which convictions and sentences he is challenging. The court cautions Holladay that failure to adequately comply with this order may result in dismissal of his Petition without further notice.

IT IS THEREFORE ORDERED that:

1. The pending Petition is deemed insufficient and the court will not act upon it.

2. On or before **September 6, 2011**, Holladay shall submit a completely new amended petition for writ of habeas corpus that is originally signed under penalty of perjury. In the amended petition, Holladay shall specify the convictions and sentences that he is challenging. Holladay is warned that his failure to comply with this order may result in dismissal of his Petition without further notice.

3. The Clerk of the Court is directed to send to Holladay the Form AO 241, Petition for Relief From a Conviction or Sentence By a Person in State Custody.

4. The Clerk of the Court is directed to set a pro se case management deadline in this case with the following text: September 6, 2011: deadline for Petitioner to submit amended Petition.

DATED this 4th day of August, 2011.

BY THE COURT:

s/ Richard G. Kopf

United States District Judge

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