

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LEE OTIS MARSHALL, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 ROBERT HOUSTON, and KARAN )  
 SHORTRIDGE, )  
 )  
 Respondents. )

8:08CV362

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. In their Brief in Support of Motion for Summary Judgment, Respondents state that Petitioner “filed a second motion for postconviction relief on December 13, 2007.” (Filing No. [10](#) at CM/ECF p. 2.) However, Respondents did not submit the December 13, 2007 motion for postconviction relief with the relevant state court records. These additional records are necessary to the resolution of Respondents’ Motion for Summary Judgment.

IT IS THEREFORE ORDERED that: no later than **March 16, 2009**, Respondents shall file Petitioner’s December 13, 2007 post conviction motion filed in the Lancaster County, Nebraska District Court as a supplemental state court record.

March 9, 2009.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge