

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSEPH JUAN BUTTERCASE,)
)
 Petitioner,)
)
 v.)
)
 SCOTT R. FRAKES, Director, Nebraska)
 Department of Correctional Services,)
)
 Respondent.)

8:18CV131

MEMORANDUM AND ORDER

Petitioner has filed a petition for writ of habeas corpus that is 242 pages long. While it technically may be in compliance with the official form, to assist me in conducting my initial review I will have Petitioner clarify the petition.

I also note that the petition appears to have been prepared by Petitioner’s son. (Filing no. 1 at CM/ECF p. 243 (“Dad-Sign of bottom page 242 (last page)”). I advise the Petitioner, who may wish to advise his son, that the unauthorized practice of law in Nebraska is a crime. Neb. Rev. Stat. § 7-101 (West 2018). I provide this friendly warning without intending to foreclose further action on my part regarding any issue regarding the unauthorized practice of law.

IT IS ORDERED that Petitioner shall clarify his petition by filing in the court file a document that is no longer than three pages stating (1) the total number of claims and (2) the page of the petition where each such claim begins. The clarification shall not contain any argument or recitation of the facts. The clarification shall be *filed*¹ on or before the close of business (5:00 p.m.) on Monday, September 17, 2018. Failure to provide the clarification within the time specified may result in the dismissal without prejudice of the petition.

DATED this 14th day of August, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge

¹ This means that the clarification must be received by the Clerk on or before the date specified. This date has been calculated to account for the prison mail box rule. So, for purposes of this order, Petitioner may not rely upon the prison mail box rule.