

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

_____	:	
TERRELLE NELSON,	:	
	:	
Petitioner,	:	Civ. No. 20-19377 (NLH)
	:	
v.	:	MEMORANDUM OPINION & ORDER
	:	
WARDEN BERGAMI,	:	
	:	
Respondent.	:	
_____	:	

APPEARANCE:

Terrelle Nelson
70270-050
Fairton
Federal Correctional Institution
P.O. Box 420
Fairton, NJ 08320

Petitioner Pro se

Rachael A. Honig, Acting United States Attorney
Jane Dattilo, Assistant U.S. Attorney
United States Attorney's Office for the District of New Jersey
970 Broad Street
7th Floor
Newark, NJ 07102

Attorneys for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner Terrelle Nelson filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, see ECF No. 1; and

WHEREAS, the Court ordered Respondent to answer the petition on January 8, 2021, see ECF No. 2; and

WHEREAS, the Court subsequently granted Respondent's request for an extension until March 10, 2021 to submit its answer, ECF No. 5; and

WHEREAS, Petitioner filed a motion for procedural default arguing that Respondent did not file its answer within the time set by the Court in its January 8, 2021 order, ECF No. 6; and

WHEREAS, it appears Petitioner submitted his motion for mailing before he received the Court's extension order,

THEREFORE, IT IS on this 22nd day of February, 2021

ORDERED that Petitioner's motion for default, ECF No. 6, is denied; and it is finally

ORDERED that the Clerk shall send Petitioner a copy of this Order by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.