

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

TYSHAUN ST. VALLIER,	:	
	:	Civil Action No. 13-6118 (SDW)
Petitioner,	:	
	:	
v.	:	<b>MEMORANDUM ORDER</b>
	:	
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	

IT APPEARING THAT:

1. On January 26, 2015, Petitioner, Tyshaun St. Vallier, filed a motion for leave to file a supplemental brief in response to issues which had arisen in his criminal docket following the filing of the instant motion to vacate his sentence under 28 U.S.C. § 2255. (ECF No. 21).

2. On March 11, 2015, prior to a response to Petitioner’s motion being filed, Petitioner filed his supplemental brief. (ECF No. 22).

3. The Government thereafter requested an extension of time in which to file their response on March 24, 2015, so that they could adequately answer the claims raised in Petitioner’s supplemental brief.<sup>1</sup> (ECF No. 23).

4. On March 31, 2015, the Government also requested an order permitting them to interview Petitioner’s former counsel in order to prepare their response to Petitioner’s ineffective assistance of counsel claims (ECF No. 25), which this Court granted on April 1, 2015. (ECF No.

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<sup>1</sup> The Government did not file opposition to Petitioner’s motion to file a supplemental pleading. Both parties appear to be under the impression that the Court’s setting of deadlines as to the motion for leave on January 30, 2015, was effectively a grant of Petitioner’s motion. (See ECF No. 22; ECF No. 23 at 1). This Court, however, has not previously ruled on Petitioner’s motion.

26).

5. The Government has since requested an additional extension, which this Court has granted, in which the Government has stated its intent to address Petitioner's supplemental arguments in its forthcoming response. (*See* ECF No. 28 at 1). Because the Government has not opposed the motion and intends to respond to the points raised therein, this Court will grant Petitioner's motion.

IT IS THEREFORE on this 21<sup>st</sup> day of May, 2015,

ORDERED that Petitioner's motion for leave to file a supplemental brief (ECF No. 21) is GRANTED, this Court will consider Petitioner's supplemental brief (ECF No. 22) and any response thereto in deciding Petitioner's § 2255 motion; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order on Plaintiff by regular U.S. mail and Respondent electronically.

*s/ Susan D. Wigenton*  
Susan D. Wigenton, U.S.D.J.