

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

PETER KLAH, :
Petitioner, : Civ. No. 16-8791 (PGS)
v. :
ATTORNEY GENERAL OF THE STATE OF :
NEW JERSEY, et al., : **MEMORANDUM AND ORDER**
Respondents. :
:

Petitioner is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Presently pending before this Court is petitioner's "motion to dismiss." (See ECF 55). Petitioner complains that respondents failed to comply within the time allotted by this Court to file its answer. Petitioner is mistaken. Indeed, as noted in this Court's October 21, 2019 order, respondents filed their answer on September 30, 2019. (See ECF 51 & 53). Nevertheless, this Court ordered respondents to serve another copy of their answer on petitioner. (See ECF 53). Respondents complied with this Court's order by serving petitioner. (See ECF 54). Therefore, petitioner's motion to dismiss is denied.¹

Accordingly, IT IS this 11 day of December, 2019,
ORDERED that petitioner's motion to dismiss (ECF 55) is denied; and it is further
ORDERED that the Clerk shall serve this memorandum and order on petitioner by
regular U.S. mail.



PETER G. SHERIDAN
United States District Judge

¹ It is worth noting that petitioner submitted his traverse to respondents' answer along with his motion to dismiss. (See ECF 55-2). Thus, this matter is now fully briefed and will be analyzed in due course.