

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KYLE T. MULLINGS,

Petitioner,

-v-

SCOTT FINLEY, WARDEN, FCI SCHUYLKILL,

Respondent.

23 Civ. 9603 (PAE)


ORDER

PAUL A. ENGELMAYER, District Judge:

On November 21, 2023, the Court issued an order to show cause, requiring the parties' counsel to confer regarding settlement, and setting a briefing schedule on Mullings's petition in the event that counsel could not come to an agreement. Dkt. 10. Under that schedule, Finley was to file a response to Mullings's petition by December 1, 2023. No such response has been received, nor has Finley entered an appearance in this matter.

The Court orders Mullings's counsel, by **December 6, 2023**, to file a status update on the docket of this case. That status update must describe whether he has conferred with Finley's counsel (that is, the government) regarding issuance of the writ; whether the government opposes the relief sought; and whether Mullings continues to seek issuance of the writ. The Court notes that discussions with prison counsellors (or other employees) will be deemed insufficient for this purpose; such discussions must have occurred with legal counsel.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: December 4, 2023
New York, New York