

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:05CV29-MU**

PHILLIP ANTWAN DAVIS,)
 Petitioner,)
))
))
 v.))
))
MARVIN POLK, Warden,))
Central Prison))
Raleigh, North Carolina))
 Respondent.))
_____)

ORDER

This matter is before the Court pursuant to Rule 5 of the Federal Rules of Procedure governing proceedings under 28 U.S.C. § 2254. Petitioner filed a Petition for Writ of Habeas Corpus on February 9, 2005. [Doc. 2]

IT IS HEREBY ORDERED THAT:

- 1. Respondent file an Answer to the Petition no later than 30 days from the date of entry of this Order; and
- 2. Respondent mail a courtesy copy of the Answer to:

Mary Frasche
Death Penalty Law Clerk
c/o Office of the Clerk of Court
401 W. Trade Street
Charlotte, NC 28202

Signed: May 11, 2005

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
Chief United States District Judge

