

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL CASE NO. 1:06cv372

RANDY LYNN ATKINS,)
)
 Petitioner,)
)
 v.)
)
MARVIN POLK, Warden,)
Central Prison)
Raleigh, North Carolina,)
)
 Respondent.)
_____)

ORDER

THIS MATTER is before the Court upon Petitioner Randy Lynn Atkins’s Motion for Expansion of the Record [Doc. 4] and Petitioner’s Motion to Amend and Correct Petitioner’s Summary Judgment Motion [Doc. 30].

In conjunction with the filing of his habeas petition, and in anticipation that the Respondent would file the transcripts of the state court proceedings, Petitioner has filed a motion seeking to expand the record to include an additional four volumes of state court records. [Doc. 4]. There being no opposition to Petitioner's motion, and for cause shown, Petitioner's Motion for Expansion of the Record [Doc. 4] will be allowed, and the Court will consider the exhibits manually filed in support of

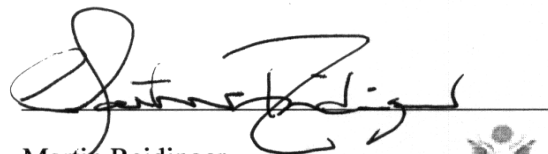
Petitioner's Petition as part of the record in this case.

Additionally, Petitioner moves to correct his Summary Judgment Motion in order to correct a typographical error. [Doc. 30]. The Respondent does not oppose Petitioner's Motion to Amend and Correct. For cause shown, Petitioner's Motion [Doc. 30] will be allowed, and the Court will consider Petitioner's Motion for Summary Judgment as amended.

Accordingly, **IT IS, THEREFORE, ORDERED** that Petitioner's Motion for Expansion of the Record [Doc. 4] and Petitioner's Motion to Amend and Correct Petitioner's Summary Judgment Motion [Doc. 30] are **ALLOWED**.

IT IS SO ORDERED.

Signed: April 1, 2011


Martin Reidinger
United States District Judge 