

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-cv-453-RJC
(3:05-cr-46-RJC-DSC-2)**

CURTIS ARNOLD,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

THIS MATTER is before the Court following the filing of the Fourth Circuit’s en banc opinion in Whiteside v. United States, ___ F.3d___, 2014 WL 7245453 (4th Cir. Dec. 19, 2014). The Court granted the Government’s motion to stay this § 2255 proceeding pending the resolution of the Whiteside case. The Government will now be ordered to file a response to Petitioner’s § 2255 motion, as supplemented, (Doc. No. 15), within 30 days from entry of this Order. Petitioner’s counsel will have 7 days from the filing of the Government’s response in order to file a reply as provided for in the Local Rules in this district. See LCvR 7.1(E).

IT IS, THEREFORE, ORDERED that the stay in this matter is lifted. (Doc. No. 26).

IT IS FURTHER ORDERED that the Government shall have 30 days from entry of this Order in order to file a response to Petitioner’s § 2255 motion, as amended by Doc. No. 15, and the Petitioner may file a reply within 7 days from the date the Government files its response.

IT IS SO ORDERED.

Signed: January 26, 2015



Robert J. Conrad, Jr.
United States District Judge

