

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
3:11cv197
(3:08cr147)

JOVAN M. McLAUGHLIN,)	
)	
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	
Respondent.)	
_____)	

THIS MATTER is before the Court on Petitioner’s Motion to Amend. (Doc. No. 9).

Petitioner filed a Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence in this Court on April 19, 2011. (Doc. No. 1). The Government filed a Motion for Summary Judgment on July 26, 2011. (Doc. No. 5). Petitioner filed a response to the Government Motion for Summary Judgment and a Motion to Amend on August 31, 2011. (Doc. Nos. 7, 8 and 9). Petitioner seeks to amend his § 2255 motion to include claims raised in his reply brief. (Doc. Nos. 8 and 9). The Government did not include a response to such claims in the Motion for Summary Judgment as they were not included in Petitioner’s original Motion to Vacate. Therefore, the Government shall file a response to Petitioner’s Motion to Amend within fourteen (14) days of the date of this Order. The Government will be given additional time to amend or re-file its Motion for Summary Judgment if appropriate.

THEREFORE, IT IS HEREBY ORDERED that the Government shall file a response to Petitioner's Motion to Amend (Doc. No. 9) within fourteen (14) days of the date of this Order.

Signed: September 28, 2011

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

