

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-653-RJC
(3:14-cr-195-RJC-DCK-1)**

PAUL R. TOTH, JR.,)
)
 Petitioner,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

THIS MATTER is before the Court on Petitioner’s Motion to Stay Further Proceedings, (Doc. No. 4).

Petitioner has filed a pro se Motion to Vacate pursuant to 28 U.S.C. § 2255. (Doc. No. 1). On May 16, 2018, the Court ordered the Government to respond to the § 2255 petition within 60 days. (Doc. No. 3).

Petitioner seeks to stay these § 2255 proceedings because he expects to be transferred to another institution, which will take between two and eight weeks. (Doc. No. 4). Petitioner’s transfer will likely be complete before the Government files its Response, and no pleadings are presently due from Petitioner. Therefore, the Motion to Stay will be denied at this time. However, this denial is without prejudice for Petitioner to seek an extension of time to file a Reply to the Government’s Response, if warranted by future circumstances.

IT IS, THEREFORE, ORDERED that:

1. Petitioner’s Motion to Stay Further Proceedings, (Doc. No. 4), is **DENIED**.

Signed: June 19, 2018



Robert J. Conrad, Jr.
United States District Judge

