

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JONATHON D. MONROE,

Petitioner,

-vs-

WARDEN, Ohio State Penitentiary,

Respondent.

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Case No. 2:07-cv-258

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District Judge Michael H. Watson  
Magistrate Judge Michael R. Merz

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**ORDER**

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Judge Watson has this date filed a final Opinion and Order on Petitioner’s Motion for Reconsideration (Doc. No. 56). Therefore, in accordance with the Opinion and Order on scheduling entered by Judge Kemp on October 9, 2009, it is hereby ORDERED:

1. Respondent shall file an answer/return of writ complying with Rule 5 of the Rules Governing § 2254 Cases not later than May 27, 2011.
2. Petitioner shall file a reply/traverse not later than sixty days after the answer is filed.
3. Any party may file a motion for discovery not later than thirty days after the reply is filed.
4. Any party may file a motion for evidentiary hearing not later than thirty days after discovery is denied or after the discovery cut-off, whichever is later.

No party may file a motion for summary judgment herein without prior permission of the Court.

March 28, 2011.

s/ **Michael R. Merz**  
United States Magistrate Judge