

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DANIEL TEITELBAUM,

Petitioner,

v.

NEIL TURNER,

Case No. 2:17-cv-583

Judge Michael H. Watson

Magistrate Judge Jolson

Respondent.

ORDER

On January 2, 2018, Petitioner filed a Motion to Compel, requesting that Respondent be ordered to serve on the Petitioner a copy of the state trial transcripts. (Doc. 16). Although Respondent filed a Notice of Filing of Trial Transcripts on October 31, 2017 (Doc. 14), Petitioner indicates he had not been served with a copy of those documents. Respondent subsequently failed to file a response to the Motion to Compel. Accordingly, on January 30, 2018, the undersigned directed Respondent to show cause within seven days why the Motion to Compel should not be granted. (Doc. 17). Respondent filed a Response on January 31, 2018, stating that “simultaneous to the filing of [the] Response, he has forwarded to Petitioner Teitelbaum a copy of the Transcripts filed in this case as Doc. 14-1.” (Doc. 18).

Because Respondent has agreed to serve the state trial transcripts on Petitioner, the Motion to Compel (Doc. 16) is **DENIED AS MOOT**. In light of the fact that Petitioner did not previously have access to the state trial transcripts, Petitioner shall have an additional twenty-one (21) days from the date of this Order to file a supplement to his Traverse to the answer (Doc. 15), if he deems necessary. The supplement shall not be longer than ten pages.

IT IS SO ORDERED.

Date: January 31, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE