Bays v. Warden Ohio State Penitentiary Doc. 186

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

RICHARD BAYS,

Petitioner, : Case No. 3:08-cv-076

- vs - District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

WARDEN, Ohio State Penitentiary,
:
Respondent.

SCHEDULING ORDER

This capital habeas corpus case is before the Court on Petitioner's Motion for Leave to File an Amended Petition (Doc. No. 185). Petitioner's counsel report that they did not consult Respondent's counsel upon filing because "[t]he Warden's counsel has previously indicated that she would oppose Bays' request to amend his petition." *Id.* at PageID 7743.

In order to coordinate with other pending motions to amend capital habeas cases regarding lethal injection, it is hereby ORDERED that the Warden file any memorandum in opposition to the pending Motion for Leave to File an Amended Petition not later than November 21, 2014. Petitioner shall file any reply memorandum in support not later than November 28, 2014.

November 12, 2014.

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

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