

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

CARL R. SIMONS,

Petitioner,

: Case No. 3:14-cv-275

- vs -

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

RHONDA RICHARDS, Warden,

:

Respondent.

ORDER REGARDING COMPOSITION OF THE RECORD

This habeas corpus case is before the Court on Petitioner’s Motion for production of a “copy of the trial and sentencing transcripts to be included with the Answer/Return of Writ.” (Doc. No. 6, PageID 160). The Order for Answer in this case already requires the Attorney General to furnish Petitioner with “a complete copy of the answer and state court record with the PageID numbers. . . .” (Doc. No. 4, PageID 157.)

The Order does not in terms require the filing of state court transcripts, but only “those portions of the state court record needed to adjudicate this case. . .” *Id.* However, Grounds One, Two, and Three for Relief plead evidence-weighting claims and other Grounds plead claims which may require review of the sentencing transcript. Accordingly, Petitioner’s Motion is GRANTED.

Petitioner also notes that he has not received a copy of his Petition as filed with PageID numbers. The Clerk will send him such a copy with his copy of this Order.

August 28, 2014.

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