Moss v. United States of America et al Doc. 10

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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| Todd L. Moss,<br>*a/k/a Todd Lamar Moss,*<br><br>Petitioner,<br><br>vs.<br><br>United States of America; Ms. Mildred Rivera,<br><br>Respondents. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | C/A No.: 0:10-2482-HMH-PJG<br><br><br>**ORDER** |

This is an action seeking habeas corpus relief under 28 U.S.C. § 2241. Petitioner is a prisoner. Therefore, in the event that a limitations issue arises, Petitioner shall have the benefit of the holding in Houston v. Lack, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

By Order dated February 17, 2011, Petitioner was given a specific time frame in which to bring this case into proper form. Petitioner has complied with the Court's Order, and this case is now in proper form. Petitioner has paid the full filing fee.

**TO THE CLERK OF COURT:**

The Clerk of Court shall not serve the § 2241 Petition upon Respondent because the Petition is subject to dismissal.

**IT IS SO ORDERED.**

Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

April 15, 2011
Columbia, South Carolina



Dockets.Justia.com