

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

Herbert English,)	C/A No. 0:12-2910-RMG-PJG
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Michael McCall, <i>Warden</i> ,)	
)	
Respondent.)	
_____)	

Petitioner Herbert English (“English”), a self-represented state prisoner, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 4, 2013, the respondent filed a motion for summary judgment. (ECF No. 23.) Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), English was advised of the summary judgment and dismissal procedures and the possible consequences if he failed to respond adequately to the respondent’s motion. (ECF No. 25.) English responded in opposition. (ECF No. 41.)

The respondent’s return and memorandum in support of summary judgment address four grounds raised in English’s Petition. However, the respondent appears to have failed to address Grounds Five, Six, and Seven, which are included as additions to English’s Petition. (ECF No. 1 at 15.) In light of the respondent’s motion requesting that English’s Petition be dismissed with prejudice and the respondent’s failure to address these issues, the respondent shall have fourteen days in which to supplement his Return and Memorandum of Law to address Grounds Five, Six, and

PJG

Seven. Further, English shall have thirty days from the date of the respondent's supplement to file a supplemental response in opposition to summary judgment, if he so desires.

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

October 9, 2013
Columbia, South Carolina