

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

MIKE SETTLE,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:18-cv-1010-STA-jay
)	
MIKE PARRIS,)	
)	
Respondent.)	

ORDER DIRECTING CLERK TO MODIFY RESPONDENT AND SEND FORM,
DENYING MOTION FOR STAY AS MOOT,
AND
GRANTING MOTION TO AMEND PETITION

Petitioner Mike Settle has filed a *pro se* habeas corpus petition (the “Petition”), pursuant to 28 U.S.C. § 2241. (ECF No. 2.) Before the Court is Petitioner’s motion to stay (ECF No. 16) and motion to amend the Petition (ECF No. 18). In his motion to stay, he asks that the Court stay proceedings in this case pending the resolution of his state court claim that the prosecution withheld evidence in violation of *Brady v. Maryland*, 373 U.S. 83 (1963). In his motion to amend, he represents that he has now exhausted his *Brady* claim, and therefore wishes to amend the Petition to add the claim. In light of the allegation that the claim has been exhausted, the motion to stay is **DENIED** as moot. Because Respondent Mike Parris¹ has not yet responded to the Petition, the motion to amend is **GRANTED**. Petitioner shall file an amended petition on the Court’s form within twenty-eight days of entry of this order. He is advised that he should present in the amended petition all claims that he wishes to assert, and that the amended petition

¹ The Clerk is **DIRECTED** to substitute Mike Parris for Shawn Phillips as Respondent. *See* Fed. R. Civ. P. 25(d).

will supersede the Petition. The Clerk is **DIRECTED** to send Petitioner the Court's official § 2241 form.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE

Date: September 25, 2019