Bowers v. Smith Doc. 34

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

WILLIAM B. BOWERS,
Petitioner,

٧.

Case No. 02-CV-001034

JUDY P. SMITH, Warden, Oshkosh Correctional Institution, Respondent.

DECISION AND ORDER

Petitioner William Bowers is currently being held in the Oshkosh Correctional Institution pursuant to a state court conviction. He filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 because he believes his detention violates the Constitution and laws of the United States. The deadline for petitioner to file his brief in support of his petition was December 29, 2012, but petitioner missed this deadline. On January 9, 2013, he filed a letter with the court stating that he was unable to complete his brief because he has been in solitary confinement without the necessary documents. He said that he would again have access to the necessary materials on January 18, 2013 and that he would submit a formal motion for an extension of time by January 25, 2013. He has not yet followed up on that letter. In light of the difficulties petitioner has been having, I will give him an additional 30 days from the date of this order to file his brief in support of the petition.

THEREFORE, IT IS ORDERED that petitioner has until **March 18, 2013** to file his brief in support of the petition.

Pursuant to Civil L.R. 7(f), the following page limitations apply: briefs in support of or in opposition to the habeas petition or a dispositive motion filed by respondent must not exceed thirty pages and reply briefs must not exceed fifteen pages, not counting any statements of facts, exhibits, and affidavits.

Dated at Milwaukee, Wisconsin, this 15th day of February 2013.

s/ Lynn Adelman

LYNN ADELMAN
District Judge