

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MICHAEL L. FREY,
Petitioner,

v.

Case No. 13-C-0875

MICHAEL A. DITTMANN,
Respondent.

ORDER

Michael L. Frey has filed a habeas petition pursuant to 28 U.S.C. § 2254. On August 9, 2013, I reviewed the petition under Rule 4 of the Rules Governing § 2254 Cases and found that the petitioner could proceed further. In that same order, I set a deadline for the respondent to file an answer to the petition and a briefing schedule on the merits of the petition. The briefing schedule provided that the petitioner would file his brief in support of his petition within forty-five days of the date on which the respondent filed his answer. The respondent filed his answer on September 9, 2013, which means that the petitioner's brief was due on October 24, 2013. To date, the petitioner has not filed a brief. The petitioner is hereby advised that if he does not file a brief within thirty days of the date of this order, I will assume that he has abandoned his request for habeas relief and will dismiss this case.

Accordingly, **IT IS ORDERED** that unless the petitioner files a brief in support of his habeas petition within thirty days of the date of this order, this case will be dismissed.

Dated at Milwaukee, Wisconsin, this 18th day of December, 2013.

s/ Lynn Adelman

LYNN ADELMAN
District Judge