

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LARRY W. GREEN,

Case No. 16-cv-502-pp

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**ORDER GRANTING PETITIONER'S MOTION FOR LEAVE TO SUPPLEMENT
ORIGINAL 2255 MOTION (DKT. NO. 5)**

The petitioner filed his §2255 motion on April 25, 2016. Dkt. No. 1. The court ordered the government to file its response by the end of the day on January 31, 2017. Dkt. No. 4.

The plaintiff now has filed a motion to supplement his original petition. Dkt. No. 5. While the motion is three pages long, the request the petitioner makes is simple. Since he filed his petition in April, the Supreme Court has decided Mathis v. United States, ___ U.S. ___, 136 S. Ct. 2243 (June 23, 2016). In addition, the Seventh Circuit has issued two decisions: United States v. Haney, 840 F.3d 472 (7th Cir., Oct. 27, 2016) and Holt v. United States, 843 F.3d 720 (7th Cir., Dec. 13, 2016). Id. at 1. The petitioner asks that the court take these decisions into account in ruling on his §2255 motion. Id.

This request is reasonable. The petitioner could not have included these decisions in his original petition. The court will grant the petitioner's motion to

supplement his petition with these cases, and with the arguments he makes based on these cases.

The respondent's brief currently is due January 31, 2017. Dkt. No. 4. It is possible that the government already is aware of these decisions, and plans to discuss them in its brief. If not, however, and if the respondent needs more time to analyze these cases and incorporate them into its brief, the respondent may file a request for an extension of time, and the court will grant it.

The court **GRANTS** the petitioner's motion for leave to supplement original 2255 motion. Dkt. No. 5.

Dated in Milwaukee, Wisconsin this 24th day of January, 2017.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge