

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DALE J. GENTRY,

Petitioner,

ORDER

v.

11-cv-120-wmc

THOMAS E. KARLEN,

Respondent.

On May 2, 2011, the state filed its response to petitioner Dale Gentry's petition for a writ of habeas corpus, dkt. #9. Pursuant to the terms of the order to show cause, petitioner had 30 days, or until June 1, 2011, in which to file a brief in support of his petition. It is now June 14, 2011 and petitioner has neither submitted a brief nor asked for more time within which to do so. Because petitioner is proceeding *pro se*, I will give him one more chance to submit a brief in support of his petition.

In his brief, petitioner must show either that (1) the state appellate court contravened a controlling opinion of the United States Supreme Court;(2) the state appellate court applied a controlling opinion of the United States Supreme Court in an unreasonable manner; or (3) the state appellate court's decision rested upon an unreasonable determination of the facts. 28 U.S.C. § 2254(d).

ORDER

IT IS ORDERED that the new briefing schedule is as follows:

Petitioner shall have until June 29, 2011 to submit a brief in support of his petition for a writ of habeas corpus. Failure to submit a brief in support will result in dismissal of the petition for failure to prosecute. The respondent may have until July 29, 2011 to file a brief in

opposition. Petitioner may have until August 18, 2011 to submit a reply brief. Submission of this reply brief is optional.

Entered this 14th day of June, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge