

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JEFFREY HAVARD

PETITIONER

vs.

CIVIL ACTION NO. 5:08cv275-KS

CHRISTOPHER EPPS, Commissioner,
Mississippi Department of Corrections, and
JIM HOOD, Attorney General of the State of Mississippi

RESPONDENTS

**PETITIONER'S SUPPLEMENTAL MOTION FOR TIME TO FILE REPLY AND FOR
TIME TO FILE MEMORANDUM OF LAW IN SUPPORT OF PETITION**

Petitioner, Jeffrey Havard, by and through his undersigned counsel and pursuant to the Rules Governing Section 2254 Cases in the United States District Courts, hereby moves the Court to enter an order permitting him to file a reply to Respondents' Answer to Petition for Writ of Habeas Corpus and to extend the time within which he may submit his Memorandum of Law in support of his Petition for Writ of Habeas Corpus. In support of this Motion, Petitioner would show unto the Court as follows:

1. Petitioner filed his Petition for Writ of Habeas Corpus (Docket # 10) on April 10, 2009.
2. Respondents herein filed their Answer to the Petition for Writ of Habeas Corpus (Docket # 11) on May 8, 2009.
3. Under Rule 5(e), petitioners in habeas corpus matters are allowed to file a reply to an answer "within a time fixed by the judge."
4. Petitioner requests that the Court enter an order permitting him to file a reply within sixty (60) days of the date of service of Respondents' Answer, which would be by July 7,

2009. A reply is necessary to rebut the procedural defenses raised by Respondents in their Answer.

5. In addition, Petitioner requests that the Court enter an order permitting him to file a Memorandum of Law within ninety (90) days of filing his reply to Respondents' Answer, which would be by October 5, 2009.

6. Counsel for Petitioner have consulted with counsel for Respondents about the filing deadlines requested in this Motion, and counsel for Respondents indicate that they have no objection thereto.

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that the Court enter an order granting him sixty (60) days within which to file a reply to Respondents' Answer to the Petition for Writ of Habeas Corpus and granting him ninety (90) days from the date of filing that reply within which to file a Memorandum of Law in support of his Petition for Writ of Habeas Corpus.

Respectfully submitted,

JEFFREY HAVARD, PETITIONER

s/Graham P. Carner

Graham P. Carner

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2009, I electronically filed the foregoing with the Clerk of the Court using the ECF System which sent notification of such filing to the following:

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