

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

JEFFREY HAVARD

PETITIONER

VS.

CIVIL ACTION NO. 5:08CV275KS

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

RESPONDENTS

ORDER LIFTING STAY AND SETTING BRIEFING SCHEDULE

This matter came before the Court on Petitioner's Motion to Lift Stay and to Set Deadlines for Briefing and Filing of Motions. By this Motion, Havard has notified the Court that the Mississippi Supreme Court has denied his Motion for Leave to File Successive Petition for Post-Conviction Relief. Respondents have not opposed this Motion to Lift Stay, and the Court is of the opinion that it should be granted.

IT IS, THEREFORE, ORDERED, as follows:

1. Havard's Motion to Lift Stay and to Set Deadlines for Briefing and Filing of Motions [Doc. #57] is hereby **granted**.
2. Havard's amended petition for writ of habeas corpus must be filed on or before September 28, 2012.

IT IS FURTHER ORDERED that, after Petitioner's attorneys file the amended petition, Respondents shall answer that petition within sixty days. Respondents shall file a complete copy of any additions to the state court record that have resulted from the additional state court proceedings within thirty days of service of the answer. Petitioner must file and serve, not later than sixty days after service of the answer, a memorandum of law in support of his amended petition. Respondents

must file a responsive memorandum within sixty days of service of the Petitioner's supporting memorandum, and Petitioner may serve a reply to the response within thirty days of service of the response.

IT IS SO ORDERED, this the 28th day of June, 2012.

s/ Keith Starrett
UNITED STATES DISTRICT JUDGE