

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN L. LOREDO,

Defendant.

ORDER

12-cv-291-bbc

10-cv-16-bbc

Defendant Juan L. Loredó filed a motion for post conviction relief on April 23, 2012. In an order entered on April 30, 2012, I explained why his motion was inadequate as submitted. Defendant's allegations of ineffective counsel failed to state a claim and his allegations of insufficiency of evidence had been decided against him by the Court of Appeals for the Seventh Circuit on his direct appeal of his conviction. The law of the case doctrine prevents defendant from rearguing that claim in this court. Varela v. United States, 481 F.3d 932, 935 (7th Cir. 2007) (§ 2255 is not intended to be either substitute for direct appeal or opportunity to reargue matters decided on direct appeal).

I gave defendant until May 14, 2012, in which to amend his claim for post conviction

relief to develop his claim of ineffective assistance.

On May 23, 2012, defendant filed a motion for an extension of time to respond to the court's April 30, 2012 order. He says he needs more time to prepare his motion because he requires the assistance of a bilingual inmate to prepare his response. Further, he states that he is also still waiting for documents to be sent to him at the prison that he believes he needs to properly prepare his response. Because defendant's motion was signed and mailed to the court by the May 14, 2012, deadline, I will grant his motion.

ORDER

Defendant's motion for an extension of time to respond to the April 30, 2012 order is GRANTED. Defendant shall have until July 23, 2012 to respond to the court's April 30, 2012 order.

Entered this 23d day of May, 2012.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge