

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

ANDREW BIGBEE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

ORDER

05-C-66-C

In an order dated September 5, 2006, I gave plaintiff until September 8, 2006, in which to show cause why his motion to enforce the judgment in this case should not be denied as moot. The order was prompted by defendant's submission of a copy of a letter from defense counsel addressed to the Federal Bureau of Prisons Lockbox in Des Moines, Iowa, and a copy of check made out to plaintiff in the amount of the judgment and costs awarded to him in this case. Now plaintiff has written a response to the court's order in which he requests an enlargement of time to September 22, 2006, in which to challenge the suggestion that his motion is moot. Plaintiff states that although he has no dispute with the proof defendant has submitted to show that it has issued a check to pay the judgment and costs, the deposit has not yet been credited to his account. He states that until the money

is deposited in his account, he cannot concede that his motion has been mooted.

Accordingly, I will extend to September 22, 2006, the deadline within which plaintiff is to show cause why his motion to enforce the judgment should not be denied as moot.

ORDER

IT IS ORDERED THAT plaintiff may have an enlargement of time until September 22, 2006, to show cause why his motion should not be denied as moot. If, by September 22, 2006, plaintiff fails to respond to this order, I will deny his motion to enforce the judgment on the ground that it is moot.

Entered this 12th day of September, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge