

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

REAL PROPERTY LOCATED AT 7199
GRANT ROAD, ARPIN, WOOD COUNTY,
WISCONSIN, WITH ALL APPURTENANCES
AND IMPROVEMENTS THEREON,

Defendant.

MEMORANDUM

05-C-731-C

On November 26, 2006, claimant Allen L. Oleson filed a document titled “Response to Plaintiff’s Motion for Summary Judgment.” Initially, claimant’s response was due on September 25, 2006. That deadline was extended to October 27, 2006 in an order dated October 10, 2006. Nevertheless, claimant did not file a response. Rather, two weeks after the October 27 deadline had passed, claimant asked for a second time to stay proceedings in this case on the ground that he had fired his lawyer in state court and hired a new one. I denied claimant’s motion on November 8 and, on November 17, 2006, granted plaintiff’s unopposed motion for summary judgment. Judgment granting summary judgment to

plaintiff and directing forfeiture of the defendant property was entered on November 21, 2006. Obviously, it is far too late for the court to give consideration to claimant's response.

I note that claimant suggests in the second paragraph of his response that during a telephone conference held in this case on October 6, 2006, I gave him until November 27, 2006 in which to file his response. This is a misstatement of the facts. The October 10, 2006 order, which was mailed to claimant at the address he provided to the court, expressly states that his response was due *October 27* and that plaintiff's reply was due November 6, 2006. Further, I reiterated in the November 8 order denying claimant's second motion for a stay of proceedings that he had missed his deadline for opposing plaintiff's motion. It is disingenuous of him to suggest now that he thought his deadline was November 27.

Because this case is closed, claimant's tardy response will remain on file for record purposes, but no consideration will be given to it.

Entered this 27th day of November, 2006.

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