

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

EDIIE BAKER,

Petitioner,

ORDER

v.

07-C-122-S

TIMOTHY LUNQUIST,

Respondent.

Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. He paid the \$5.00 filing fee.

Petitioner claims that his conviction in the United States District Court for the Eastern District of Wisconsin was illegal. He contends that his motion under 28 U.S.C. § 2255 was inadequate to test the legality of his conviction.

Accordingly,

ORDER

IT IS ORDERED that the respondent shall file and serve upon petitioner a response to the petition any supporting brief not later than 20 days from the date of service this petition, showing cause, if any, why this writ should not issue. Affidavits may accompany the response. Petitioner may have 20 days from the service of the response to file and serve upon counsel for respondent a traverse to the allegations of the response submitted

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by the respondent and any supporting brief. Affidavits may accompany the traverse. Such affidavits shall raise no issues which have not already been raised in the petition and response. Affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served and filed therewith.

The petition is being delivered to the United States Marshal for service upon respondent Timothy Lunquist, petitionre's current custodian.

Entered this 5th day of March, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge