

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL LePAGE,

Defendant.

ORDER

05-cr-147-jcs
08-cv-363-bbc

On June 23, 2008, defendant Michael LePage filed a motion for post conviction relief pursuant 28 U.S.C. § 2255. The court set a briefing schedule, allowing the government until August 4, 2008 to file a brief in opposition to the motion and August 14, 2008 for defendant to file a reply. The government filed a timely response but defendant filed no reply by the August 14, 2008 deadline. On August 26, 2008 I denied defendant's motion and a judgment of dismissal was entered that same day. Now defendant has filed a motion for an extension of time to file a reply to the government's response to his § 2255 motion. The motion will be DENIED.

The only arguments defendant makes in support of his motion are that the issues he raises are "important and complex" and that he has had only "limited" time in the law library. However, petitioner filed a 32-page brief in support of his motion, laying out the

reasoning for his contentions. In deciding defendant's motion, I gave considerable thought to his claims and determined for myself whether the law would justify a grant of relief. Defendant's desire for more time to conduct additional research is not an adequate basis for vacating the judgment and issuing a new briefing schedule.

ORDER

IT IS ORDERED THAT defendant's motion for an extension of time to file a reply to the government's response to his § 2255 motion is DENIED.

Entered this 10th day of September, 2008.

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