

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

JOHN J. LUKAS,

Petitioner,

ORDER

v.

08-cv-429-bbc

BRADLEY HOMPE, Warden,
Stanley Correctional Institution,

Respondent.

On August 4, 2008, this court entered an order directing the state to respond to the petition for a writ of habeas corpus filed by petitioner John J. Lukas. The state was given 30 days from the date of service of the petition, or until September 4, 2008, in which to file its response. The assistant attorney general representing the state in this case has filed a motion seeking a one-month extension of the response deadline, citing a heavy workload with numerous pending deadlines in other cases. I am satisfied from counsel's affidavit that good cause exists for granting an extension. The state's new deadline for filing its response to the petition is October 6, 2008.

Curiously, although the state has not yet responded to the petition, petitioner has filed a motion for an extension of *his* deadline for submitting a brief. Petitioner is under the impression that the timing of submissions in this case is governed by the Seventh Circuit's appellate rules. He is incorrect. The parties' respective deadlines are set forth in the court's

August 4, 2008 order to show cause, as modified by this order. As set forth in the August 4, 2008 order, petitioner's brief will be due 20 days after he is served with the state's response to the petition.

ORDER

IT IS ORDERED that respondent's motion for an extension of time to file a response to the petition is GRANTED. The new deadline for filing the response is October 6, 2008.

Petitioner's motion for an extension of time for filing his brief is DENIED as unnecessary. Petitioner's brief is due 20 days after he is served with the state's response to the petition.

Entered this 5th day of September, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge