

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

CURTIS J. PIDGEON,

Petitioner,

v.

LIZZIE TEGELS,

Respondent.

ORDER

13-cv-57-bbc

In an order entered on April 9, 2013, I directed the state to respond to petitioner Curtis Pidgeon's petition for a writ of habeas corpus under 28 U.S.C. § 2254. That same day, this court forwarded to the state attorney general a copy of the petition for acceptance of informal service of process on respondent Tegels, together with this court's April 9 order. Now petitioner has filed a motion for entry of default judgment.

In support of his motion, petitioner argues that the respondent is in default because she failed to file an answer within 30 days of April 9, 2013, the date the Wisconsin Department of Justice was served on behalf of the respondent. However, on April 9, respondent filed a motion for a one-week extension of time to respond to the petition. That motion was granted in a text-only order on May 10, 2013. The order gave respondent until May 16, 2013 to respond to the petition for writ of habeas corpus. Respondent filed her answer on May 15, 2013. Because it was timely, petitioner's motion for entry of default will be denied.

ORDER

IT IS ORDERED that petitioner Curtis Pidgeon's motion for entry of default, dkt.
11 is DENIED.

Entered this 21st day of May, 2013.

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