

IN THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT
OF ALABAMA SOUTHERN DIVISION

July 27, 1998

RONALD PATRICK SWINEY

Petitioner,

VS.

CIVIL ACTION NO. 96-P-2823-S

CHARLIE JONES, WARDEN;
ATTORNEY GENERAL FOR THE
STATE OF ALABAMA,

Respondents.

MOTION TO CLERK FOR EXTENSION OF TIME

Comes now this Petitioner, pro-se, and requests an Extension of 15 days to File Objections, and as cause shows as follows :


This Petitioner was not aware of the Magistrate's Recommendation of 6-23-98 untill he recieved the States Objection of 7-14-98 .

Then the Court issued an ORDER, directing service with the time running from the date of ORDER of 7-17-98 making the due date be 8-1-98 which was not recieved by this Petitioner untill 7-20-98, with page (2) being missing and the Magistrate makes reference to the Items listed on page (2) several times, thereby making it impossible for Petitioner to formulate argument in opposition.

Petitioner's wife contacted the Clerk of Court on 7-21-98 and the Clerk indicated that a complete copy would be served promptly. However, as of this date, this Petitioner has not recieved that copy.

For the above and other reasons, Petitioner requests an Extension of (15) Fifteen days to prepare and file his Objections partly as due to delays in obtaining a correct copy and partly as due to the need of additional time to refute "many" erroneous allegations, and in obtaining appropriate copies of state law, and other documents.

Petitioner prays for the Extension, to and including 8-16-98, so is prayed this 27th day of July, 1998.


PATRICK SWINEY 154406
2- HOLMAN 3700
ATMORE, ALABAMA 36503

CERTIFICATE OF SERVICE

This will certify service of the foregoing on Clerk of said Court, and Alabama Attorney General Office by placing same said in the United States Mail, properly addressed, postage pre-paid, this 27th day of July, 1998.


PATRICK SWINEY