

***** PUBLIC DOCKET *****

HABEAS

**U.S. District Court
Southern District of Indiana (Terre Haute)
CIVIL DOCKET FOR CASE #: 2:19-cv-00012-JRS-DLP**

NUNLEY v. BROWN

Assigned to: Judge James R. Sweeney II

Referred to: Magistrate Judge Doris L. Pryor

Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 01/08/2019

Jury Demand: None

Nature of Suit: 530 Habeas Corpus
(General)

Jurisdiction: Federal Question

Petitioner**LAWRENCE NUNLEY**represented by **LAWRENCE NUNLEY**

198710

WABASH VALLEY - CF

WABASH VALLEY

CORRECTIONAL FACILITY - Inmate

Mail/Parcels

6908 S. Old US Hwy 41

P.O. Box 1111

CARLISLE, IN 47838

PRO SE

V.

Respondent**RICHARD BROWN***Warden, Wabash Valley Corr. Fac.*represented by **Jesse R. Drum**

INDIANA ATTORNEY GENERAL

302 West Washington Street

Indiana Government Center South,
Fifth Floor

Indianapolis, IN 46204

317-234-7018

Email: jesse.drum@atg.in.gov

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/08/2019	<u>1</u>	CONSENT to Prisoner E-Service by LAWRENCE NUNLEY located at WVCF. Pursuant to General Order 2013-1, documents submitted by LAWRENCE NUNLEY to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of

		CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (DJH) (Entered: 01/08/2019)
01/08/2019	2	PETITION for Writ of Habeas Corpus, filed by LAWRENCE NUNLEY. (No fee paid with this filing) (DJH) (Entered: 01/08/2019)
01/08/2019	3	MOTION for Leave to Proceed in forma pauperis, filed by Petitioner, LAWRENCE NUNLEY. (DJH) (Entered: 01/08/2019)
01/08/2019	4	AFFIDAVIT in Support of Motion re 3 MOTION for Leave to Proceed in forma pauperis filed by Petitioner, LAWRENCE NUNLEY. (DJH) (Entered: 01/08/2019)
01/08/2019	5	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 01/08/2019)
01/14/2019	6	ORDER TO SHOW CAUSE (State Conviction) - LAWRENCE NUNLEY's petition for a writ of habeas corpus challenges the petitioner's conviction and sentence in Indiana state court case number 31D01-0805-FA-000389. The petitioner's motion to proceed in forma pauperis, dkt. 3 , is denied as presented. He shall have until February 14, 2019, in which to renew his motion to proceed in forma pauperis by attaching a copy of the transactions associated with his institution trust account for the 6-month period preceding the filing of this action on January 8, 2019. Respondent is ORDERED to enter an appearance by January 24, 2019. If respondent argues that all claims in the petition are subject to one of the procedural bars for dismissal outlined in Rule 5(b), respondent is ORDERED to file a motion to dismiss based on a complete procedural bar by February 25, 2019. If Track 1 does not apply, respondent is ORDERED to answer the petition by March 18, 2019. The Court does not anticipate extending respondent's deadlines absent respondent specifically setting forth extraordinary circumstances (SEE ORDER FOR ADDITIONAL INFORMATION AND DEADLINES). Signed by Judge James R. Sweeney II on 1/14/2019. (DMW) (Entered: 01/15/2019)
01/16/2019	7	NOTICE of Appearance by Jesse R. Drum on behalf of Respondent RICHARD BROWN. (Drum, Jesse) (Entered: 01/16/2019)
01/29/2019	8	MOTION for Leave to Proceed in forma pauperis, filed by Petitioner LAWRENCE NUNLEY. (Attachments: # 1 Exhibit)(JRB) (Entered: 01/29/2019)
01/29/2019	9	Entry - The petitioner's motion for leave to proceed in forma pauperis, dkt. 8 is denied. The petitioner's inmate trust account certification reflects that he has sufficient funds to pay the \$5.00 filing fee for this action. The petitioner shall have through February 21, 2019, in which to pay the Five Dollar filing fee to the clerk of the court. Signed by Judge James R. Sweeney II on 1/29/2019. (DMW) (Entered: 01/30/2019)

02/12/2019	10	NOTICE to the Court re filing fee, filed by Petitioner LAWRENCE NUNLEY (DMW) (Entered: 02/12/2019)
02/14/2019	11	RECEIPT #IP063962 for Habeas filing fee in the amount of \$5.00, paid by Petitioner. (REO) (Entered: 02/14/2019)
03/11/2019	12	First MOTION for Extension of Time to April 17, 2019 , filed by Respondent RICHARD BROWN. (Attachments: # 1 Text of Proposed Order)(Drum, Jesse) (Entered: 03/11/2019)
03/13/2019	13	ENTRY GRANTING RESPONDENT'S MOTION FOR EXTENSION - The Court GRANTS the motion, dkt. 12 , and gives Respondent up to and including April 17, 2019, within which to file a response to the petition for a writ of habeas corpus. Signed by Judge James R. Sweeney II on 3/13/2019. (DMW) (Entered: 03/14/2019)
04/17/2019	14	RETURN TO ORDER TO SHOW CAUSE, re 13 Order on Motion for Extension of Time to File, filed by RICHARD BROWN.. (Attachments: # 1 Exhibit A - CCS, # 2 Exhibit B - DA Docket, # 3 Exhibit C - DA Appellant's, # 4 Exhibit D - DA Appellee's, # 5 Exhibit E - DA Opinion, # 6 Exhibit F - DA Pet. to Trans., # 7 Exhibit G - DA Supp. Pet. to Trans., # 8 Exhibit H - DA Supp. Trans. Resp., # 9 Exhibit I - PCR CCS, # 10 Exhibit J - PCR Docket, # 11 Exhibit K - PCR Appellant's, # 12 Exhibit L - PCR Appellee's, # 13 Exhibit M - PCR Reply, # 14 Exhibit N - PCR Memo Decision, # 15 Exhibit O - PCR Pet. to Trans.)(Drum, Jesse) (Entered: 04/17/2019)
04/17/2019	15	NOTICE of Filing of <i>State Court Record of Proceedings</i> by RICHARD BROWN (Attachments: # 1 State Court Record Direct Appeal Appendix Volume 1 of 2, # 2 State Court Record Direct Appeal Table of Contents, # 3 State Court Record Direct Appeal Transcript Volume 1 of 4, # 4 State Court Record Direct Appeal Transcript Volume 2 of 4, # 5 State Court Record Direct Appeal Transcript Volume 3 of 4, # 6 State Court Record Direct Appeal Transcript Volume 4 of 4, # 7 State Court Record Direct Appeal Supplemental Transcript, # 8 State Court Record Direct Appeal Exhibits, # 9 State Court Record Post-Conviction Appendix Volume 1 of 3, # 10 State Court Record Post-Conviction Appendix Volume 2 of 3, # 11 State Court Record Post-Conviction Appendix Volume 3 of 3, # 12 State Court Record Post-Conviction Table of Contents, # 13 State Court Record Post-Conviction Transcript Volume 1 of 1) (Drum, Jesse) (Entered: 04/17/2019)
04/18/2019	16	SEALED <i>Direct Appeal Appendix Volume II</i> , filed by Respondent RICHARD BROWN. (Drum, Jesse) (Entered: 04/18/2019)
04/29/2019	17	MOTION for Extension of Time, filed by Petitioner LAWRENCE NUNLEY. (MAT) (Entered: 04/29/2019)
04/29/2019	18	Order - The petitioner's motion for extension of time, dkt. 17 is granted. The petitioner shall have through June 17, 2019, in which file a reply to the respondent's return to the order to show cause. Signed by Judge James R. Sweeney II on 4/29/2019. (DMW) (Entered: 04/30/2019)

06/12/2019	19	Reply re 14 Return to Order to Show Cause, filed by LAWRENCE NUNLEY. (DMW) (Entered: 06/12/2019)
------------	--------------------	--

Case #: 2:19-cv-00012-JRS-DLP