

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**KHALFANI ATKINSON,**

**Petitioner,**

**v.**

**Civil Action No. 1:06cv19  
Criminal Action No. 1:02cr36(1)  
(Judge Keeley)**

**UNITED STATES OF AMERICA,**

**Respondent.**

**ORDER GRANTING MOTION TO FILE RESPONSE OUT OF TIME**

For good cause shown, the respondent's motion to file its response out of time (dckt. 6) is **GRANTED**. The response filed on September 28, 2006, is deemed timely.

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the *pro se* petitioner.

DATED: August 9, 2007.

*/s John S. Kaul*

JOHN S. KAULL  
UNITED STATES MAGISTRATE JUDGE