

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA ex rel.)	
ANTHONY DINGUS (#R-44941),)	
)	
Petitioner,)	
)	
v.)	Case No. 16 C 1875
)	
KIMBERLY BUTLER , Warden, et al.,)	
)	
Respondents.)	

MEMORANDUM ORDER

Here is the self-explanatory opening paragraph to this Court's April 11, 2016 memorandum order ("Order") in this 28 U.S.C. § 2254 ("Section 2254") action brought by pro se prisoner Anthony Dingus ("Dingus") to seek relief from his state court conviction and the 50-year custodial sentence imposed as a result of that conviction:

Less than a week after Anthony Dingus ("Dingus") filed his self-prepared Petition for Writ of Habeas Corpus ("Petition") seeking relief from his conviction on two counts of first degree murder and the 50-year custodial sentence imposed as a result of that conviction, this Court issued a brief memorandum order in compliance with Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts ("Section 2254 Rules") by ordering respondent Warden Kimberly Butler to file an answer or motion directed to the Petition. Respondent's Answer has been timely filed, coupled with a seven-inch-thick set of 22 exhibits -- the relevant portions of the record of Dingus' state court proceedings.

As the Order went on to state, this Court had then determined that nonlawyer Dingus needed legal representation to enable him to file a Reply to the Answer, so it sent Dingus three copies of the Clerk's-Office-supplied form of In Forma Pauperis Application ("Application") to allow Dingus to deal swiftly with that precondition to obtaining such legal representation for him.

In that last respect, the Order concluded by telling Dingus exactly what he had to do as well as providing him with the forms for doing so:

One preliminary matter must be satisfied by Dingus in the last respect: the presentation of a filing that confirms his financial inability to retain counsel.¹ This Court is accordingly transmitting to Dingus three copies of the Clerk's-Office-supplied form of In Forma Pauperis Application ("Application"), so that Dingus can complete and promptly submit to the Clerk's Office two signed counterparts of the Application (coupled with a directive identifying this action and its case number, 16 C 1875).

¹ Dingus' failure to do so posed no problem in conjunction with his initial filing of the Petition, which required only a \$5 fee.

But instead Dingus sent back the attached letter, which was received in the Clerk's Office on April 20, coupled not with any filled-out Application forms but, instead, with more than 180 pages of other materials that he has decided should be tendered to this Court.

That response (or more accurately nonresponse) is hard to comprehend. Dingus will be given one more chance, for which purpose he is being sent another set of the Application forms so that he can promptly comply with the above-quoted final paragraph of the Order. If he does not do so, this Court will not be able to grant Dingus' motion for counsel and will have to deal with this action solely on the basis of Dingus' original Petition and respondent's Answer.



Milton I. Shadur
Senior United States District Judge

Date: April 27, 2016

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FILED

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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Judge Milton I. Shadur,

This is Anthony Dingus (Case No. 16-cv-1875)
I sent a Motion into the Court for Appointment of
Counsel. I ask if that was granted? I'm not a Lawyer
and don't know much about law. I don't even know
how to label these Exhibits. I'm requesting that an
Attorney be appointed to represent me on this
matter because I do have some serious issues. Please
help me defend my case.

I know you are very busy so I'll send this
out now, I appreciate everything.

Thankyou.

Sincerely
Anthony Dingus