

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

TIMOTHY HENNIS, : Case No.: **5:2009hc02169**
Petitioner , : Honorable Judge Boyle
Vs. :
FRANK HELMICK, ET AL :
Respondents, :

PETITIONER'S RENEWED REQUEST FOR A STAY

Now comes the Petitioner and renews his request for a stay of the court martial proceedings pending at Fort Bragg. A memorandum in support is attached and is incorporated as if fully typed herein.

Respectfully submitted,

/s/ William O Richardson

/s/ Eric J Allen

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MEMORANDUM IN SUPPORT

Petitioner filed as part of his original petition a request for emergency relief in the form of a stay of the court martial proceedings against him. Based on this court's ruling late yesterday afternoon, Counsel for Petitioner in the court martial proceedings requested a continuance until the proceedings had finished in Federal Court.

Respondent Parrish refused to continue the trial based on the fact that this court had ordered further briefing on the matter. Respondent Parrish did state that he would honor a stay by this court and hold the court martial in abeyance until these proceedings are concluded.

WHEREFORE, Petitioner requests this court stay the court martial proceedings until further order of this court.

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Certificate of Service

I hereby certify that on **March 2, 2010**, a copy of the Foregoing Response to Motion to Dismiss/summary judgment was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

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