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UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

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MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

MARTIN GROSSMAN,

Petitioner,

v.

CASE NO. 98-1929-CIV-T-17F

HARRY K. SINGLETARY, JR.,

Respondent.

\_\_\_\_\_ /

ORDER

Before the Court is the petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 1) filed on September 18, 1998. The pleading, which incorporates the petition and the memorandum of law in support is 231 pages long<sup>1</sup>. Further, contrary to the express directions of the rules governing habeas corpus cases, the petition does not contain a brief statement of the facts supporting the petitioner's claims.

"Even in a death-penalty case, the court expects counsel to be highly selective about the issues to be argued on appeal and about the number of words used to press those issues." *United States v. Battle*, 163 F.3d 1 (11th Cir. 1998). Because the petitioner's pleading is unreasonably long, and because it fails to comply with the rules governing habeas corpus petitions the petitioner's

<sup>1</sup> Local Rule 3.01<sup>e</sup> prescribes a 20 page limitation for memoranda of law. The petitioner's document clearly exceeds this limitation.

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petition for writ of habeas corpus (Doc. 1) is **STRICKEN**. The petitioner shall file a new petition on or before March 10, 1999. The Rules Governing Section 2254 cases, which have been adopted in this district, require that the petition be in substantially the form annexed to the rules. Rule 2(c), Rules Governing Section 2254 cases. As the Advisory Committee Note to Rule 2 explains, the use of a prescribed form was adopted for reasons of administrative convenience. Courts that have a large volume of habeas actions, as does this Court, save valuable time if they are not required to decipher lengthy petitions. This saving is lost, of course, if Petitioner is permitted to fill in the form with the notation "see attached memorandum." In light of the administrative benefits to the Court derived from the use of the prescribed petition for writ of habeas corpus form, the petitioner will be required to complete the form in its entirety. The petitioner may file a memorandum of law in support of his petition for writ of habeas corpus, not to exceed 50 pages in length. Failure to comply with this order will result in the automatic dismissal of this case without further notice. The Clerk is instructed to send to the petitioner a copy of the petition for writ of habeas corpus form.

DONE AND ORDERED in Tampa, Florida, on February 10<sup>th</sup>, 1999.



Elizabeth A. Kovachevich  
United States District Judge

SA/lh