

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

STEVEN MADDEN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No.12-0029-DRH

ORDER

HERNDON, Chief Judge:

Pending before the Court is Madden's October 31, 2012 motion to withdraw his 28 U.S.C. § 2255 petition (Doc. 14). Madden states that he is "happy with the response of Mrs. Robertson." On November 3, 2012, the government filed a sealed response to Madden's motion agreeing with the motion (Doc. 15). Thus, the Court **GRANTS** the motion and **DISMISSES without prejudice** Madden's 28 U.S.C. § 2255 petition. The Court will close the file.

IT IS SO ORDERED.

Signed this 5th day of November, 2012.

David R. Herndon



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David R. Herndon
Date: 2012.11.05
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**Chief Judge
United States District Court**