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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Fabio Evelio Gomez,
10 Petitioner,

11 v.

12 David Shinn, et al.,
13 Respondents.
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No. CV-21-01529-PHX-MTL

ORDER

DEATH PENALTY CASE

15 Before the Court is Petitioner Fabio Evelio Gomez's Unopposed Motion to Modify
16 Briefing Schedule. (Doc. 23.) The parties agree that the statute of limitations governing
17 Gomez's petition for a writ of habeas corpus expires on July 22, 2022. (Doc. 11 at 1–2.)
18 *See* Antiterrorism and Effective Death Penalty Act of 1996, 28 U.S.C. § 2244(d)(1)(A).
19 Gomez's petition is currently due two weeks earlier, on July 8, 2022. (Doc. 12 at 2.) Gomez
20 now asks the Court to modify the briefing schedule, extending all remaining due dates by
21 one week, because he has a new lead counsel. (Doc. 23 at 1–2.) Respondents do not oppose
22 his motion (*id.* at 2), and the Court finds good cause to grant it.

23 Accordingly,

24 **IT IS ORDERED granting** Gomez's Unopposed Motion to Modify Briefing
25 Schedule. (Doc. 23.) This schedule is modified as follows:

- 26 1. Gomez shall file a petition for a writ of habeas corpus no later than **July 15,**
27 **2022.**
- 28 2. Respondents shall file an answer no later than **October 14, 2022.**

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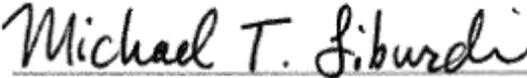
3. Gomez shall file a reply no later than **December 9, 2022**.

4. A notice of request for evidentiary development shall be filed no later than **January 20, 2023**.

5. A response to a notice of request for evidentiary development shall be filed no later than **February 24, 2023**.

6. A reply to a response to a notice of request for evidentiary development shall be filed no later than **March 10, 2023**.

Dated this 16th day of May, 2022.



Michael T. Liburdi
United States District Judge