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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

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Michael Ray White,

) No. CV 08-8139-PCT-GMS

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Petitioner,

) DEATH PENALTY CASE

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v.

) **ORDER**

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Charles L. Ryan, et al.,

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Respondents.

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Before the Court is Petitioner’s unopposed motion for an additional 60 days to file an amended habeas petition. At a recent status conference, the Court observed that it had provided a substantial amount of time for preparation of the amended petition prior to Petitioner’s counsel initiating, on the eve of the amended petition’s due date, litigation concerning Petitioner’s mental competency. A review of the record reveals that counsel were assigned to this matter in November 2008 and filed their motion concerning Petitioner’s mental competency in September 2009. The competency-related stay was lifted in January 2013. Counsel now seek a continuance until July 19, 2013, to file the amended petition.

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Since the inception of this case, the Court has been very generous with continuance requests and will grant the instant motion because it is unopposed. However, in light of the number of years this case has been in the pre-amended-petition stage, the Court does not intend to permit further modification of the briefing schedule absent a showing of extraordinary circumstances, regardless of whether the request is unopposed.

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Based on the foregoing,

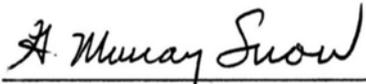
**IT IS HEREBY ORDERED** that Petitioner's Unopposed Motion for Extension of Time to File Amended Petition for Writ of Habeas Corpus (Doc. 268) is **GRANTED**.

**IT IS FURTHER ORDERED** modifying the briefing schedule as follows:

1. Petitioner shall file an Amended Petition for Writ of Habeas Corpus no later than **July 19, 2013**.
2. Respondents shall file an Answer no later than **September 17, 2013**.
3. Petitioner shall file a Reply no later than **October 17, 2013**.
4. Any motion for evidentiary development shall be filed no later than **November 18, 2013**.
5. A response to any motion for evidentiary development shall be filed no later than **December 18, 2013**.
6. A reply to any response to a motion for evidentiary development shall be filed no later than **January 7, 2014**.

**IT IS FURTHER ORDERED** that, absent a showing of extraordinary circumstances, the Court will not permit further modification of this briefing schedule.

DATED this 3rd day of May, 2013.

  
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G. Murray Snow  
United States District Judge