

1 MICHAEL LAURENCE, State Bar No. 121854
 BETHANY LOBO, State Bar No. 248109
 2 CLIONA PLUNKETT, State Bar No. 256648
 HABEAS CORPUS RESOURCE CENTER
 3 303 Second Street, Suite 400 South
 San Francisco, California 94107
 4 Telephone: (415) 348-3800
 Facsimile: (415) 348-3873
 5 Email: docketing@hrcr.ca.gov
 mlaurence@hrcr.ca.gov

6 Attorneys for Petitioner ERNEST DEWAYNE JONES

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 9 UNITED STATES DISTRICT COURT
 10 FOR THE CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

11 Ernest Dewayne Jones,
 12
 13 Petitioner,

14 v.

15 Kevin Chappell, Warden of California
 State Prison at San Quentin,
 16 Respondent.

Case No. CV-09-2158-CJC

DEATH PENALTY CASE

PETITIONER'S SECOND EX PARTE
 APPLICATION FOR AN
 EXTENSION OF TIME TO FILE A
 REPLY BRIEF ON THE
 APPLICATION OF 28 U.S.C. §
 2254(d)

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 18 Pursuant to Rule 7-19 of the Local Rules for the United States District Court for
 19 the Central District of California, Petitioner Ernest Dewayne Jones hereby applies for
 20 an order granting a sixty (60) day extension of time, to and including January 13, 2014,
 21 to file his Reply to Respondent's Opposition to Petitioner's Opening § 2254(d) Brief
 22 on Evidentiary Hearing Claims. Petitioner's Reply is currently due to be filed
 23 November 12, 2013.

24 Petitioner has advised Respondent's counsel of this request, and counsel does
 25 not object to the extension of time requested in the application. The contact
 26 information for counsel for Respondent is as follows:

1 HERBERT S. TETEF
2 Deputy Attorney General
3 300 South Spring Street, Suite 1702
4 Los Angeles, CA 90012
5 Telephone: (213) 897-0201
6 Facsimile: (213) 897-6496
7 Email: DocketingLAAWT@doj.ca.gov

8 This request is based on good cause as set forth in the attached Declaration of
9 Michael Laurence, Esq.

10 Dated: November 8, 2013

11 Respectfully submitted,

12 HABEAS CORPUS RESOURCE CENTER

13 /s/ Michael Laurence

14 By: Michael Laurence
15 Attorney for Ernest Dewayne Jones
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1 file informal replies in Case Nos. S154541 and S199918, I have had to assist other
2 supervisors with multiple conflicting state habeas corpus petition filing deadlines.
3 Thus, since receiving Respondent's Opposition, because of staffing shortages, I have
4 assisted in drafting and filing four state habeas corpus petitions and two informal reply
5 in California Supreme Court Case Nos. S180670, S212038, S166315, S212256,
6 S154541, and S121365. I also am the supervisor on California Supreme Court Case
7 No. S095223 with a petition due date of July 30, 2014, and California Supreme Court
8 Case Nos. S199918, S180828, and S200323, with informal replies due on December 2,
9 2013, April 15, 2014, and October 24, 2014, respectively. Given the unforeseen need
10 to work on these other cases, I have been able to complete only limited work on
11 Petitioner's Reply in this case.

12 6. Due to staff turnover and mandatory furloughs, Ms. Plunkett and Ms.
13 Lobo have experienced increased workloads and have been required to assist on other
14 cases with imminent filing deadlines, in addition to their assigned cases. Ms. Plunkett
15 is currently preparing state habeas corpus petitions in two cases (California Supreme
16 Court Case Nos. S089609 and S044693) and an informal reply (California Supreme
17 Court Case No. S206945), in addition to ongoing litigation relating to an Order to
18 Show Cause in San Mateo County Superior Case No. SC31145. Given these other
19 case commitments, Ms. Plunkett has been able to complete only limited work on
20 Petitioner's Reply in this case.

21 7. Similarly, since receiving Respondent's Opposition, Ms. Lobo filed an
22 informal reply in California Supreme Court Case No. S174549. She also is preparing a
23 state habeas corpus petition in California Supreme Court Case No. S029551. Most
24 importantly, Ms. Lobo has recently given notice that she is resigning from the HCRC.
25 Her last day of employment will be November 15, 2013.

26 8. Given other litigation demands and the novel and complex nature of the
27 section 2254(d) issues before this Court, it is my professional judgment that we will
28 require a 60-day extension of time to reply to Respondent's Opposition.

1 9. Ms. Plunkett contacted Mr. Herbert Tetef, counsel for Respondent, and
2 informed him of the substance of this request for additional time, including the
3 proposed due date. On November 8, 2013, Mr. Tetef authorized Petitioner's counsel to
4 represent to the Court that he does not object to the length of time being requested.

5 10. Granting this extension will permit counsel to draft and edit the Reply
6 Brief to ensure the avoidance of repetitive arguments and thus conserve the parties'
7 and this Court's limited time.

8 The foregoing is true and correct and executed under penalty of perjury under
9 the laws of the United States on November 8, 2013.

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12 /s/ Michael Laurence
13 Michael Laurence
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