UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT RODNEY RUBISH, Petitioner, v. M. S. EVANS, Warden, Respondent.	1:05-CV-00687 LJO GSA HC ORDER DENYING MISCELLANEOUS MOTIONS [Docs. #65, 71, 72, 75, 76, 77, 80] ORDER GRANTING MOTION FOR EXTENSION OF TIME [Doc. #81]

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On December 18, 2007, the Magistrate Judge issue a Findings and Recommendation which recommended the petition be denied. The parties were granted thirty (30) days to file objections.

Immediately before and since the Findings and Recommendation was issued, Petitioner filed numerous motions including motions to amend, motions for injunctive relief, and motions for discovery. The purpose of those motions is this: Petitioner seeks counsel and he seeks to relitigate his case. Petitioner's various motions will be DENIED for the following reasons: 1) The interests of justice would not be served by appointment of counsel at this time; Rule 8(c), Rules Governing Section 2254 Cases; 2) Petitioner has failed to demonstrate good cause to amend his petition with

new claims at this late stage in the proceedings; Rule 15(a), Federal Rules of Civil Procedure ; and 3) Petitioner has failed to demonstrate good cause to open discovery; Rule 6(a), Rules Governing Section 2254 Cases.

Petitioner also requests an extension of time to file objections to the Findings and Recommendation. He claims he never received the Magistrate Judge's Findings and Recommendation, and the Court is aware that prison officials notified the Clerk of Court of this fact. According to the docket, the Clerk of Court re-served the Findings and Recommendation on January 16, 2008. Therefore, good cause having been presented, and good cause appearing therefor, Petitioner will be GRANTED an extension of time to file his objections.

Accordingly, IT IS HEREBY ORDERED:

1) Petitioner's miscellaneous motions (Docs. 65, 71, 72, 75, 76, 77, 80) are DENIED; and

2) Petitioner is GRANTED an extension of time of thirty (30) days from the date of service of this order to file objections.

IT IS SO ORDERED.

Dated: February 7, 2008 **/s/ Lawrence J. O'Neill**
UNITED STATES DISTRICT JUDGE