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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

**GEORGE SOULIOTES,**  
  
Petitioner,  
  
v.  
  
**ANTHONY HEDGPETH, et al.,**  
  
Respondent.

Case No. 1:06-cv-0667 AWI MJS HC

**ORDER DENYING REQUEST FOR  
THIRTY DAY EXTENSION OF TIME  
TO FILE RESPONDENT’S  
OBJECTIONS TO FINDINGS AND  
RECOMMENDATIONS (ECF NO. 142);**

**and**

**ORDER EXTENDING UNTIL MAY 21,  
2012, RESPONDENT’S DEADLINE TO  
FILE OBJECTIONS TO FINDINGS AND  
RECOMMENDATIONS**

On April 26, 2012, this Court issued its Findings and Recommendations in this case. (ECF No. 141.) The said Findings and Recommendations gave Respondent fourteen days, until May 10, 2012, to file objections to them. On May 3, 2012, Respondent filed the instant request for a thirty day extension of time to file objections, based upon counsel’s other competing professional obligations and the length of the Findings and Recommendations.

The Court denies the request for a thirty day extension. The Court is mindful that, as the Ninth Circuit Court of Appeal noted in its remand order directing an “expedited” hearing in this case, Petitioner is elderly. He already has served many years in prison pursuant to conviction of a

1 crime of which this Court has concluded no reasonable juror would now find him guilty.  
2 Accordingly, the interests of justice compel the Court and the parties to proceed with all  
3 deliberate speed to address Petitioner's constitutional claims and determine whether or not his  
4 conviction will stand.

5 The Court appreciates the demands placed upon Respondent's counsel by her other cases  
6 and professional responsibilities. However, she identifies no unique demands upon her time after  
7 May 9, 2012, nor does she address the availability of co-counsel, including co-counsel who  
8 appeared with her at the evidentiary hearing, to assist her. While the Findings and  
9 Recommendations are indeed lengthy, the length is devoted primarily to a recitation of applicable  
10 law and a summary of the voluminous evidence in the case along with a discussion of the Court's  
11 analysis of and weighing of that evidence. It is the same law and the same evidence the Court  
12 and the parties have wrestled with throughout this case. The only truly new development facing  
13 Respondent is the Court's reaction to that evidence.

14 For all these reasons, the Court is satisfied that allowing Respondent an extra eleven days,  
15 until May 21, 2012, to prepare objections is ample considering and balancing all the  
16 circumstances.

17 Accordingly, for the reasons set forth above, IT IS HEREBY ORDERED that the request  
18 for a thirty day extension of time to file respondent's objections to Findings and  
19 Recommendations is DENIED. Respondent shall have until May 21, 2012 to file objections.  
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24 IT IS SO ORDERED.

25 Dated: May 3, 2012

26 /s/ Michael J. Seng  
27 UNITED STATES MAGISTRATE JUDGE  
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