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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RODNEY JESSE SAN NICOLAS,

Petitioner,

v.

KEVIN CHAPPELL, as Warden of San  
Quentin State Prison,

Respondent.

Case No. 1:06-cv-00942-LJO-SAB

DEATH PENALTY CASE

ORDER GRANTING RESPONDENT'S  
UNOPPOSED APPLICATION TO MODIFY  
SCHEDULING ORDER  
(ECF No. 140)

22 Before the Court is Respondent's application (ECF No. 140), seeking to modify the  
23 Court's February 6, 2015 scheduling order (ECF No. 139), by extending time to answer the  
24 Petition and for the parties to file a joint statement regarding further scheduling. Respondent  
25 states Petitioner's non-opposition to the application.

26 For good cause shown, it is HEREBY ORDERED that Respondent's application is  
27 GRANTED in part. Since it took Respondent over 2 weeks to assign new counsel after the  
28 Court's order of February 6 without any explanation, the answer shall be filed no later than July

1 22, 2015 and the joint statement shall be filed not later than August 24, 2015. The Court's  
2 February 6, 2015 order otherwise continues unchanged.

3 Respondent is advised that no further extensions will be granted, even if new and/or  
4 different counsel were subsequently assigned to the case.

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6 IT IS SO ORDERED.

7 Dated: March 13, 2015

  
UNITED STATES MAGISTRATE JUDGE

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