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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RODNEY JESSE SAN NICOLAS,  
  
                    Petitioner,  
  
          v.  
  
RON DAVIS, Warden of California State  
Prison at San Quentin,  
  
                    Respondent.

Case No. 1:06-cv-00942-DAD  
  
DEATH PENALTY CASE  
  
ORDER GRANTING PETITIONER’S  
UNOPPOSED MOTION FOR FIRST  
EXTENSION OF TIME TO FILE REPLY  
MEMORANDA REGARDING 28 U.S.C. §  
2254(d)  
(Doc. No. 171)  
  
ORDER MODIFYING SCHEDULING  
ORDER  
(Doc. No. 156)

Before the court is a motion by petitioner Rodney Jesse San Nicolas, through co-counsel Assistant Federal Defender Harry Simon and appointed CJA counsel Wesley Van Winkle, to extend the current January 16, 2018 deadline for filing any reply memoranda on the applicability of 28 U.S.C. § 2254(d) to January 30, 2018. This extension of time, petitioner’s first, is necessary due to counsels’ responsibilities in other cases and Mr. Van Winkle’s personal matters.

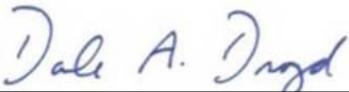
Mr. Simon represents that counsel for respondent, Deputy Attorney General Angelo Edralin, does not oppose the requested extension.

The court finds good cause to grant petitioner’s requested first extension and thereupon modify the court’s schedule in this case.

1           Accordingly, petitioner's unopposed motion for first extension of time to file and serve  
2 any reply memoranda regarding 28 U.S.C. § 2254(d) is granted to and including January 30,  
3 2018.

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5 IT IS SO ORDERED.

6       Dated: January 9, 2018

  
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7 UNITED STATES DISTRICT JUDGE  
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