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

COREY DARRYL WIRSZ,

Petitioner,

vs.

JOHN SUGRUE,

Respondent.

1:09-cv-1204-JLT (HC)

ORDER GRANTING RESPONDENT'S
MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO PETITION
FOR WRIT OF HABEAS CORPUS (Doc. 11)

ORDER DENYING PETITIONER'S
MOTION FOR DEFAULT JUDGMENT
(Doc. 12)

THIRTY DAY DEADLINE

Petitioner is a federal prisoner proceeding pro se in a habeas corpus action pursuant to 28 U.S.C. § 2241. On March 10, 2010, the Court ordered Respondent to file a response by May 12, 2010. (Doc. 8). On May 12, 2010, respondent filed a motion to extend time to file a response to the petition for writ of habeas corpus based upon the need to consult the Office of Enforcement Operations, Criminal Division, and the need to conduct further research regarding Petitioner's claim of entitlement to a treaty transfer. (Doc. 11). On May 17, 2010, Petitioner filed a motion requesting entry of default judgment for Respondent's purported failure to file a timely response. (Doc. 12). Since that motion is based upon the false assumption that Respondent did not timely request an extension of time, it will be denied.

Moreover, good cause having been presented to the Court for Respondent's request for an extension of time, IT IS HEREBY ORDERED that:

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1. Respondent's motion to extend time (Doc. 11), is GRANTED. Respondent has thirty (30) days in which to file a Response.
2. Petitioner's motion for default judgment (Doc. 12), is DENIED.

IT IS SO ORDERED.

Dated: May 18, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE