

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES RAY BROWN,
Petitioner
v.
JAMES A. YATES,
Respondent

Case No. 1:10-cv-00219-LJO-SAB (HC)

**ORDER GRANTING PETITIONER'S
REQUEST TO CONTINUE EVIDENTIARY
HEARING SCHEDULE**

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S. § 2254. Petitioner is represented in this action by Lisa M. Sciandra, Esq. Respondent is represented in this action by Justain Paul Riley, Esq., of the Office of the California Attorney General.

On December 17, 2014, a status conference hearing was held to discuss any discovery-related matters, schedule an evidentiary hearing, and address any issues pertaining thereto. (ECF No. 43). On December 18, 2014, the Court issued a scheduling order setting an evidentiary hearing and related briefing schedule. (ECF No. 44). On February 20, 2015, Petitioner filed a motion requesting a 60-day continuance of the evidentiary hearing schedule in this matter. (ECF No. 45). Petitioner has indicated that Respondent does not oppose the request. After considering the Petitioner's request, the Court will grant a 45-day continuance of the briefing and evidentiary hearing schedule in this matter. As the Court reserves its time to hear this case and denies others

1 the ability to present their cases during that time, the parties are advised that no further
2 extensions will be entertained absent a showing of extraordinary circumstances.

3 Accordingly, good cause having been presented to the Court, it is hereby ORDERED
4 that:

- 5 1. The parties are directed to file their respective witness and exhibit lists on or before
6 April 13, 2015;
- 7 2. The parties are directed to file any rebuttal witness and exhibit lists on or before April
8 27, 2014;
- 9 3. The parties are directed to file their respective opening briefs including proffers of
10 witnesses on or before May 4, 2015;
- 11 4. The parties are directed to file any responsive briefs on or before May 18, 2015; and
- 12 5. The evidentiary hearing will be held on June 8, 2015, at 9:00 a.m., before the
13 undersigned.

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15 IT IS SO ORDERED.

16 Dated: February 23, 2015



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UNITED STATES MAGISTRATE JUDGE