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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 JAMES RAY BROWN,

12 Petitioner,

13 v.

14 JAMES A. YATES,

15 Respondent.  
16

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

ORDER GRANTING PETITIONER'S  
REQUEST TO CONTINUE EVIDENTIARY  
HEARING SCHEDULE

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

21 On December 17, 2014, a status conference hearing was held to discuss any discovery-  
22 related matters, schedule an evidentiary hearing, and address any issues pertaining thereto. (ECF  
23 No. 43). On December 18, 2014, the Court issued a scheduling order setting an evidentiary  
24 hearing and related briefing schedule. (ECF No. 44). On February 20, 2015, Petitioner filed a  
25 motion requesting a 60-day continuance of the evidentiary hearing schedule in this matter. (ECF  
26 No. 45). Petitioner has indicated that Respondent does not oppose the request. After considering  
27 the Petitioner's request, the Court will grant a 45-day continuance of the briefing and evidentiary  
28 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.

14  
15 IT IS SO ORDERED.

16 Dated: **February 23, 2015**

  
UNITED STATES MAGISTRATE JUDGE