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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN MICHAEL BEAMES,
Petitioner,
v.
RON DAVIS, Warden of San Quentin State
Prison,
Respondent.

Case No. 1:10-cv-01429-DAD-SAB
DEATH PENALTY CASE
ORDER GRANTING-IN PART
RESPONDENT'S UNOPPOSED MOTION
FOR SECOND EXTENSION OF TIME TO
FILE POST-HEARING BRIEF ON CLAIM
11
(Doc. No. 212)

Before the court is a motion by respondent, through counsel Robert Gezi to extend by fifteen (15) days the current July 5, 2016 deadline for filing his post-hearing brief on claim 11 responsive to the court's February 4, 2016 order. (*See* Doc. Nos. 198 & 210.) Mr. Gezi states this extension of time, his second, is necessary to allow the undersigned time to rule on respondent's related motion to seal his post-hearing brief on claim 11.

Mr. Gezi represents that counsel for petitioner, Mr. Simon, does not object to the requested extension of time.

The record reflects that on July 15, 2016, the Clerk of the Court filed under seal respondent's request to seal and post-hearing brief on claim 11 pursuant to the undersigned's July 14, 2016 order granting respondent's motion to seal. Based thereon, the court finds good cause to extend the time for filing of respondent's post-hearing brief by ten (10) days to and including July 15, 2016.

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Given the extension of time afforded respondent, the court also finds good cause to extend by ten (10) days the deadline for petitioner to file his reply brief from the current September 3, 2016 to September 13, 2016.

Accordingly, it is HEREBY ORDERED that:

1. Respondent’s unopposed motion for second extension of time to file his post-hearing brief on claim 11 (Doc. No. 212) is granted-in-part to and including July 15, 2016,
2. Petitioner’s post-hearing reply brief shall be filed not later than September 13, 2016, and
3. Thereupon, the matter shall be deemed submitted.

IT IS SO ORDERED.

Dated: July 18, 2016


UNITED STATES MAGISTRATE JUDGE