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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LARISSA SCHUSTER,  
Petitioner,

v.

DEBORAH K. JOHNSON,  
Respondent.

Case No. 1:12-cv-01482-AWI-SAB-HC  
ORDER SETTING BRIEFING SCHEDULE

Petitioner is proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On May 17, 2013, this Court issued Findings and Recommendation that Respondent’s motion to dismiss be granted. (ECF No. 30). On February 20, 2015, the District Judge issued an order adopting the Court’s analysis in the Findings and Recommendation. (ECF No. 36). However, because McQuiggin v. Perkins, 133 S.Ct. 1924 (2013), was decided after the Findings and Recommendation was issued, the District Judge has permitted the parties to brief the application of McQuiggin. The District Judge referred the matter back to the undersigned for briefing with respect to McQuiggin, and for the undersigned to issue a Findings and Recommendation regarding the application of McQuiggin to this case. The District Judge also indicated that if the undersigned believes that relevant facts were not adequately considered in the Findings and Recommendation, then as part of the undersigned’s Findings and

1 Recommendation regarding McQuiggin, the undersigned may issue amended findings regarding  
2 equitable tolling.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. Petitioner shall file a brief regarding the application of McQuiggin to this case or file  
5 a notice that she does not wish to pursue any issues relating to McQuiggin within  
6 **sixty (60)** days of the date of service of this order;
- 7 2. Respondent shall file a response to Petitioner's brief regarding McQuiggin within  
8 **thirty (30)** days of the date Petitioner's brief is filed with the Court; and
- 9 3. Petitioner may file a reply to Respondent's response brief within **(14) days** after  
10 Respondent's response is served.

11 All motions shall be submitted on the record and briefs filed without oral argument unless  
12 otherwise ordered by the Court. Local Rule 230(1). **Extensions of time will only be granted**  
13 **upon a showing of good cause.** All provisions of Local Rule 110 are applicable to this order.

14 IT IS SO ORDERED.

15 Dated: February 23, 2015

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18 UNITED STATES MAGISTRATE JUDGE