

1 BENJAMIN B. WAGNER
2 United States Attorney
3 AUDREY B. HEMESATH
4 Assistant United States Attorney
501 I Street, Suite 10-100
5 Sacramento, California 95814
6 Telephone: (916) 554-2729

7 Attorneys for Defendants

8

9 **IN THE UNITED STATES DISTRICT COURT FOR THE**
10 **EASTERN DISTRICT OF CALIFORNIA**

11

12

13

14

GERARDO MANUEL MENDOZA)	No. 1:12-cv-1750 MJS
LOPEZ,)	
Petitioner,)	JOINT STIPULATION AND ORDER RE:
v.)	SECOND EXTENSION OF TIME IN
Janet Napolitano, Secretary of Homeland)	WHICH TO RESPOND TO THE ORDER
Security, et al.)	TO SHOW CAUSE
Respondents.)	

15

16 This is an immigration habeas case in which Petitioner has filed to challenge his detention by

17 U.S. Immigration and Customs Enforcement (ICE). On November 9, 2012, the Court issued an

18 order requiring Respondents to respond to the Petition. The parties now stipulate to a second

19 extension of time for the government's response to that Order, as the parties continue to attempt

20 to reach a satisfactory resolution to the matter at the administrative level. Specifically, Petitioner

21 has filed a U-visa application; should that application be successful, it is expected he would be

22 released from custody.

23 Accordingly, the parties stipulate to a 14-day extension of time for the government to file its

24 answer to the Order to Show Cause, until February 5, 2013.

25

26

27

28

1
2 Dated: January 18, 2013
3
4

BENJAMIN B. WAGNER
United States Attorney

5 By: /s/Audrey Hemesath
6 Audrey B. Hemesath
7 Assistant U.S. Attorney
8 Attorneys for the Respondents
9

10 //s/ Kevin Crabtree
11 Kevin Crabtree
12 Attorney for the Petitioner
13

14 ORDER

15 Pursuant to this Joint Stipulation and for the reasons stated therein, IT IS HEREBY
16 ORDERED that the time for filing the government's response to the Order to Show Cause is
17 extended to February 5, 2013.

18
19 IT IS SO ORDERED.
20

Dated: January 22, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE