

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD MIGUEL GARCIA,
Petitioner,
v.
STUART SHERMAN, Warden,
Respondent.

Case No. 1:14-cv-00980-DAD-MJS (HC)
**ORDER GRANTING MOTION TO FILE
EXCESSIVE DOCUMENTS
(ECF NO. 39)**

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus under 28 U.S.C. § 2254. Stuart Sherman, Warden of Corcoran State Prison, is hereby substituted as the proper named respondent pursuant to Rule 25(d) of the Federal Rules of Civil Procedure. Respondent is represented by Jeffrey White of the Office of the California Attorney General.

On July 19, 2017, Petitioner filed his traverse (ECF No. 40), along with a Motion to File Excessive Documents in Support of Traverse (ECF No. 39). The traverse is handwritten and sixty pages long, including the caption and table of contents. It is accompanied by an additional six pages of exhibits. The Court has not limited the length of Petitioner's traverse, and thus Petitioner's request unnecessary. In any event, the

1 Court notes that Respondent's answer runs 42 pages. While the traverse likely could
2 have been shorter, it is not excessive. It will be considered in its entirety in due course.

3 Accordingly, Petitioner's motion is HEREBY GRANTED.

4
5 IT IS SO ORDERED.

6 Dated: August 10, 2017

7 *1st Michael J. Seng*
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28