



1 Upon an apparent showing of good cause, initial motions for extensions of time in which to  
2 answer a petition are given to respondents in habeas cases as an ordinary practice since prisoners  
3 are generally not available to execute stipulations for time extensions.

4 The time for response is not statutory but is set by the Court in its discretion. R. 5(e),  
5 *Rules Governing Section 2254 Cases in United States District Courts*. Particularly with an initial  
6 request for extension of time, the Court is generally indulgent to both respondents or petitioners  
7 who can articulate a reasonable basis for their need for additional time to complete and file a  
8 pleading. In the case of respondents in habeas cases, limited budgets and personnel, as well as  
9 the need to secure necessary information regarding the underlying case, weigh in favor extending  
10 time to allow a complete and accurate response to the habeas petition.

11 Requests for extensions of time do not lend themselves to resolution of substantive and  
12 procedural disputes regarding the underlying case. The Court declines to resolve the parties'  
13 disagreements on the procedural status of the underlying immigration case until briefing in the  
14 habeas case has been completed, and the record has been lodged with the Court.

15 Petitioner's motion for reconsideration of the Court's extension of time for Respondents  
16 to file a response to the petition is hereby DENIED.

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18 IT IS SO ORDERED.

19 Dated: May 9, 2016

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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