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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT FLORES GOMEZ,
Petitioner,
v.
LINDA M. SANDERS,
Respondent.

Case No. 1:16-cv-00662-EPG-HC
ORDER DISCHARGING ORDER TO
SHOW CAUSE (ECF No. 22)
ORDER GRANTING RESPONDENT’S
SECOND REQUEST FOR EXTENSION OF
TIME (ECF No. 23)

Petitioner is proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On November 21, 2016, the Court granted Respondent until February 9, 2017, to file a response to the petition in order to give the parties the opportunity to resolve this matter in Petitioner’s underlying criminal case rather than in the instant habeas proceeding. (ECF No. 21). Respondent failed to comply with the Court’s order within the allotted time period. Therefore, on February 21, 2017, the Court issued an order to show cause why sanctions should not be imposed for failing to obey a court order. (ECF No. 22). That same day, Respondent responded to the order to show cause, informing the Court of the actions taken by the parties in Petitioner’s underlying criminal case and stating that counsel “regrettably forgot to file a second request for an extension of time to file a response in the instant matter.” (ECF No. 23 at 2). Respondent now requests a second extension of time to file a response to the petition.

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In light of Respondent’s prompt response, the Court will discharge the order to show cause and declines to impose sanctions. However, the Court notes that it is not the Court’s responsibility to keep track of the parties’ deadlines and counsel is advised that the Court expects the parties to file requests for extensions of time before the expiration of a deadline.

IT IS HEREBY ORDERED that Respondent is granted to and including June 8, 2017, to file a response to the petition.

IT IS SO ORDERED.

Dated: February 23, 2017

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE