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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PEDRO ARIAS,)	NO. CIV.S-99-0627 WBS DAD DP
)	
Petitioner,)	<u>CAPITAL CASE</u>
)	
v.)	
)	ORDER
VINCE CULLEN, Warden,)	
San Quentin State Prison,)	
)	
Respondent.)	

Petitioner has now filed his fifth request for an extension of time to file his traverse. While the court appreciates that petitioner’s counsel has been careful in seeking only the amount of time he believes absolutely necessary to file the traverse, it now appears clear that he has also been overly optimistic in making his assessments in that regard. In the future, the court would prefer fewer requests for extensions of time and, if necessary, more time granted at the outset. This will reduce unnecessary work by both counsel and the court.

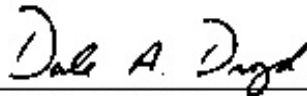
Petitioner seeks an additional four days to prepare and file the traverse. Since petitioner’s request is unopposed, and good cause appearing, IT IS HEREBY ORDERED that:

By September 26, 2011, petitioner will file the reply or traverse or other appropriate pleading, which will also address the impact of *Cullen v. Pinholster*, 563 U.S. ___, 131 S.Ct. 1388, 179 L.Ed.2d 557 (2011) on these proceedings. Within thirty days after petitioner’s filing, respondent will submit a responsive pleading addressing the impact of *Pinholster* here and

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1 petitioner may submit any reply within seven days thereafter. The status conference set for
2 November 10, 2011, at 10:00 a.m. remains as scheduled.

3 DATED: September 22, 2011.

4 

5 _____
6 DALE A. DROZD
7 UNITED STATES MAGISTRATE JUDGE

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