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

**LEE MAX BARNETT,**  
  
Petitioner,  
  
v.  
  
**MICHAEL MARTEL, Acting Warden of  
San Quentin State Prison,**  
  
Respondent.

Case No. 2:99-cv-2416 JAM CMK

**DEATH PENALTY CASE**  
**CORRECTED ORDER**

Good cause appearing, it is hereby ordered that respondent's request for an extension of time is granted. Respondent shall file a reply in support of procedural defenses<sup>1</sup> on or before September 12, 2011.

Dated: August 18, 2011

/s/ Craig M. Kellison  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Respondent originally indicated this request would be opposed by petitioner. However, informal communication with counsel for both parties has advised the court that petitioner withdraws his opposition due to personal tragedy affecting the Attorney General's Office.