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

DAVID TERRY,

Petitioner,

No. CIV-S-06-0244 GEB KJM P

vs.

JAMES TILTON,

Respondent.

ORDER

_____/

Petitioner has requested an extension of time to file a response to respondent's opposition to the motion for relief from judgment. He has also filed a motion for discovery of law library records, arguing that these will support his claim for equitable tolling based on restrictions on law library access. This request, however, is not likely to lead to evidence which will support his pending motion for relief from judgment under Fed. R. Civ. P. 60(b). See Ramirez v. Yates, 571 F.3d 993, 998 (9th Cir. 2009).

IT IS HEREBY ORDERED that:

1. Petitioner's request for an extension of time (Docket No. 59) is granted;
2. Petitioner to file a reply to the opposition on or before October 22, 2010; and

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3. Petitioner's motion for discovery (docket no. 60) is denied.

DATED: September 29, 2010.



U.S. MAGISTRATE JUDGE

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