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

ANDREW A. CEJAS,

Petitioner,

No. CIV S-08-2494 MCE EFB P

vs.

JAMES A. YATES, et al.,

Respondents.

ORDER

_____ /

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. On January 12, 2011, he requested an additional extension of time to file an amended petition. *See* Fed. R. Civ. P. 6(b). He has already been granted one extension of thirty days. Dckt. No. 59. He contends that an additional 60 days is needed to perform research and “organize the writ.” Dckt. No. 60.

Petitioner has also filed a motion for stay in this case (in order to exhaust state remedies) that has been pending since August 26, 2010. Dckt. No. 32. In his motion for stay, petitioner indicated that he expected to exhaust his state remedies by the end of 2010. On October 19, 2010, the court ordered respondent to respond to the motion for stay within 30 days of service of the amended petition. Dckt. No. 57. Due to petitioner’s requests for so much additional time to file the amended petition, it is no longer clear whether petitioner still seeks a stay of these

1 proceedings. For that reason, the motion for stay is denied at this time without prejudice to its
2 renewal should petitioner still wish to obtain a stay.

3 Accordingly, it is ORDERED that:

4 1. Petitioner's January 12, 2011 request for extension of time is granted and petitioner
5 has 60 days from the date this order is served to file and serve an amended petition; and

6 2. Petitioner's August 26, 2010 motion for stay is denied without prejudice. If petitioner
7 still seeks a stay of these proceedings, he may renew his motion for stay by so informing the
8 court and respondent.

9 DATED: January 19, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE