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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 KJM EFB P

vs.

JAMES A. YATES, Warden,

Respondent.

ORDER

_____/

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. Respondent has requested a second extension of time to file and serve an opposition to petitioner’s March 18, 2011 motion for stay and abeyance. *See* Fed. R. Civ. P. 6(b). Petitioner has requested that the court order discovery and issue subpoenas to him so that he may conduct discovery.

I. Request for Extension of Time

Respondent’s May 6, 2011 motion is granted, and respondent shall file and serve his response to the motion for stay on or before May 17, 2011. The court does not intend to grant respondent further extensions of time absent a showing of extraordinary circumstances.

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1 **II. Requests for Discovery**

2 As petitioner's request for a stay of these proceedings is currently pending, an order
3 allowing discovery to commence would be premature. Accordingly, petitioner's requests for
4 discovery and for subpoenas will be denied without prejudice. Petitioner may renew these
5 requests following disposition of the motion for stay.

6 **III. Order**

7 1. Respondent's May 6, 2011 motion for an extension of time, Dckt. No. 72, is granted,
8 and respondent shall file and serve his response to the motion for stay on or before May 17,
9 2011.

10 2. Petitioner's March 17, 2011 motion for discovery, Dckt. No. 66, and May 2, 2011
11 request for subpoenas, Dckt. No. 71, are denied.

12 So ordered.

13 DATED: May 9, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE