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

SHANNON SECREASE,

Petitioner,

2: 09 - cv - 299 JAM TJB

vs.

JAMES WALKER,

Respondent.

ORDER

_____ /

Petitioner Shannon Secrease is a state prisoner proceeding through counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 11, 2008, Petitioner amended his federal habeas petition. On February 15, 2011, Petitioner was ordered to submit a copy of the June 18, 1998 hearing transcript or provide an affidavit showing why Petitioner cannot produce the transcript after Respondent stated that he was not in possession of said transcript. Based on the representations made by Petitioner’s counsel in his May 25, 2011 motion for extension of time, it appears as if the transcript from that hearing is unavailable. Therefore, Petitioner is deemed to have complied fully with the February 15, 2011 Order and the June 18, 1998 transcript is deemed unavailable based on Petitioner counsel’s representations.

On April 26, 2011 Petitioner was ordered to file documents that he specifically refers to and cites to in his amended federal habeas petition. Petitioner refers to the December 6, 2007

1 state habeas petition filed in the California Supreme Court as well as specifically cites to portions
2 of the voir dire transcript that were not attached as exhibits by either party. On May 25, 2011,
3 Petitioner requested an additional fourteen days to comply with the April 26, 2011 Order. Based
4 upon the representations made, and only for this request, it is determined that good cause has
5 been shown and the request will be granted.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Petitioner's motion filed May 25, 2011 for a fourteen (14) day extension of time
8 to file the requested documents as ordered in the April 26, 2011 Order is
9 GRANTED; and
- 10 2. Petitioner shall file the documents requested in the April 26, 2011 Order on or
11 before June 8, 2011.

12 DATED: May 26, 2011

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15 TIMOTHY J BOMMER
16 UNITED STATES MAGISTRATE JUDGE
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