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

JOHN LAPONTE,

Petitioner,

No. CIV S-09-0570 MCE DAD P

vs.

JOHN HAVILAND, Warden,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus. On June 17, 2009, petitioner filed a motion for an extension of time to file a traverse and explained that he recently transferred to a different prison. On June 25, 2009, petitioner filed a motion for a court order requiring prison officials to release his legal property, so he could file a timely traverse.

Good cause appearing, the court will grant petitioner's motion for an extension of time to file a traverse. However, the court will deny petitioner's motion for a court order as unnecessary at this time. In the event that petitioner needs additional time to file his traverse because he still has not received his legal property, he may file a request for more time with the court.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's June 17, 2009 motion for an extension of time (Doc. No. 23) is granted;
2. Within thirty days of the date of service of this order, petitioner shall file a traverse. In the event that petitioner needs additional time, he may file a request for more time with the court; and
3. Petitioner's June 25, 2009 motion for a court order (Doc. No. 24) is denied.

DATED: July 1, 2009.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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