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

ARQUIMEDES MENDOZA,

Petitioner,

No. 2:09-cv-1710 MCE DAD P

vs.

MATTHEW CATE,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner proceeding through counsel with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On November 15, 2012, petitioner filed a request to modify the briefing schedule in this habeas action set forth in this court’s order dated October 18, 2012. Good cause appearing, that request will be granted.

Accordingly, IT IS ORDERED that:

1. On or before December 17, 2012, petitioner may file a motion to expand the record or any other motion he deems appropriate in order to proceed with this action;
2. Respondent shall file an opposition to petitioner’s motion, if any, on or before January 17, 2013;
3. Petitioner may file a reply to respondent’s opposition on or before January 31, 2013.

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4. The hearing currently scheduled for January 11, 2013 is vacated.

5. A hearing on petitioner's motion filed pursuant to this order will now be held on February 8, 2013 at 10:00 a.m. in courtroom #27.

DATED: November 19, 2012.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:8
mendoza1710.vac