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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 August 1, 2012, the court appointed counsel to represent petitioner. On August 20, 2012, the court approved the substitution of current counsel into the case on behalf petitioner’s behalf in place of the Federal Defender’s Office. Following a status conference, on September 17, 2012, the court issued a briefing schedule order. On October 18, 2012, November 19, 2012, December 18, 2012, and January 29, 2013, the court modified that schedule, each time at the request of petitioner’s counsel.

On March 6, 2013, counsel for petitioner filed another request to modify the briefing schedule set forth in this court’s order dated January 29, 2013. Petitioner explains that the parties are exploring the possibility of “relief in this matter along the lines suggested by petitioner in his pleadings.” (Doc. 50 at 1.) Good cause appearing, that request will be granted.

1 However, no further modifications of the schedule in this action will be granted absent a showing
2 of extraordinary cause.

3 Accordingly, IT IS ORDERED that:

4 1. On or before May 17, 2013, petitioner may file a motion to expand the record
5 or any other motion he deems appropriate in order to proceed with this action;

6 2. Respondent shall file an opposition to petitioner's motion, if any, on or before
7 June 28, 2013;

8 3. Petitioner may file a reply to respondent's opposition on or before July 12,
9 2013.

10 4. The hearing currently scheduled for May 3, 2013 is vacated.

11 5. A hearing on petitioner's motion filed pursuant to this order shall be held on
12 July 26, 2013 at 10:00 a.m. in courtroom #27.

13 DATED: March 26, 2013.

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16 _____
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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