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 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

11 AARON AUGUSTINE HEREDIA,

12 Petitioner,

13 v.

15 MICHAEL MARTEL, Warden,

16 Respondent.

Case No. 10-CV-0693-GEB-CMK

**APPLICATION AND STIPULATION TO  
 ENLARGE TIME FOR PETITIONER TO  
 FILE TRAVERSE; ORDER**

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 20 I was retained in early July, 2011 to prepare the traverse in this matter (petitioner filed his  
 21 petition for writ of habeas corpus *pro se*). Prior to preparing the traverse it is necessary that I review  
 22 the record on appeal, including the reporter’s transcript of the trial proceedings, which consists of  
 23 796 pages, and the briefing on appeal, in addition to the petition. Further, I must also review the  
 24 papers and documents contained in trial counsel’s file to ensure that all potentially meritorious  
 25 habeas issues have been raised, and conduct any necessary research. I have not yet completed this  
 26 review and preparation of the traverse. Thus, I request an additional 90 days from the current due  
 27 date for filing the traverse of September 19, 2011 to prepare and file the traverse, to December 19,  
 28 2011.

1 On September 12, 2011, my associate, Erin J. Radekin, communicated with Jill Thayer,  
2 attorney representing respondent in this case, via email. Ms. Thayer stated that she has no opposition  
3 to the request for an enlargement of time by 90 days.

4 Accordingly, application is being made to the Court pursuant to agreement among the parties  
5 that the deadline for petitioner to file the traverse be enlarged to December 19, 2011.

6 Dated: September 12, 2011

Respectfully submitted,

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IT IS SO ORDERED.

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DATED: September 20, 2011

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/s/ John R. Duree, Jr.  
JOHN R. DUREE, JR.  
Attorney for Petitioner  
AARON AUGUSTINE HEREDIA

  
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE