

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

DENNIS WAYNE MIZE,

Petitioner,

No. 2:11-cv-2007 KJM EFB P

vs.

M. CATE,

Respondent.

ORDER

_____/

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 22, 2013, petitioner requested a third extension of time to file his objections to the March 29, 2013 findings and recommendations. *See* Fed. R. Civ. P. 6(b). Good cause appearing, petitioner’s request will be granted.

Petitioner has also filed an “Application For Relief From Possible Default.” Dckt. No. 30. Petitioner appears to request that he be excused from untimely filing his motion for an extension of time. Petitioner’s request for an extension of time to file objections was timely filed. Therefore, the motion will be denied as unnecessary.

Accordingly, it is ORDERED that:

1. Petitioner’s request for an extension of time, Dckt. No. 29, is granted and petitioner has 30 days from the date this order is served to file objections to the findings and recommendations; and

1 2. Petitioner's application for relief from possible default, Dckt. No. 30, is denied as
2 unnecessary.

3 Dated: June 27, 2013.

4 
5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26