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5 Attorney for Petitioner  
 6 WILLIAM R. DYE

7  
 8 **UNITED STATES DISTRICT COURT**

9  
 10 **EASTERN DISTRICT OF CALIFORNIA**

11  
 12 WILLIAM R. DYE,

No. 2:12-cv-02201 TLN-EFB

13 Petitioner,

14 v.

15 FRED FOULK, Warden,

16 Respondent.

17  
 18 **Stipulation and Order**

19 IT IS HEREBY STIPULATED between BARRY MORRIS, attorney for  
 20 petitioner, WILLIAN R. DYE, and DAVID EDLRIDGEE, attorney for respondent  
 21 FRED FOULK, that time to file objections to the Magistrate’s Findings and  
 22 Recommendations be extended sixty days up to and including November 8, 2015.

23 This stipulation is based upon the attached declaration of BARRY MORRIS.

24 Dated: September 10, 2015

25  
 26 /s/ Barry Morris  
 27 Attorney for Petitioner  
 WILLIAM R. DYE  
 28

1 /s/David Eldridge  
2 Attorney for Respondent  
3 DAVID ELDRIDGE  
4

5 **Declaration of Barry Morris**

6 I, BARRY MORRIS, do hereby declare under penalty of perjury that the  
7 following is true and correct:

8 1. I am an attorney licensed to practice law in all the courts of the State  
9 of California, the United States District Court for the Northern, Central, and  
10 Eastern Districts of California, the United States Court of Appeals for the Ninth  
11 Circuit, and the United States Supreme Court. I represent the petitioner in the  
12 above-entitled action;  
13

14 2. I am making this request because, in the vernacular, I am slammed  
15 with work. I have four briefs to finish in the next two weeks: [1] a reply brief in  
16 *United States v. Hunt*, 13-10583, a complicated case with seven issues where  
17 the opening brief was 70 pages, [2] the opening brief in *United States v.*  
18 *Head*, No. 14-10438, a complicated mortgage fraud case with a record  
19 exceeding 1,700 pages, [3] an amended habeas petition in *Ayala v. Lewis*,  
20 C 11-05708-YGR, a homicide case, and [4] a response to a motion for  
21 summary judgment in *Dewey v. Monterey County*, No. M114120, a §1983  
22 case.  
23  
24

25 3. On September 25th, I am leaving for a two week, pre-paid vacation  
26 with my son in China. Hence the reason for this request.

27 4. I have spoken to counsel for respondent and he has no objection to  
28 this request.

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Dated: September 10, 2015

/s/Barry Morris  
Attorney for Petitioner  
WILLIAM R. DYE

**Order**

GOOD CAUSE APPEARING THEREFOR, it is hereby ordered that the time to file objections to the Findings and Recommendations of the Magistrate Judge is hereby extended up to and including November 8, 2015.

Dated: September 14, 2015.



UNITED STATES MAGISTRATE JUDGE