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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICARDO GAXIOLA-SANCHEZ,
Petitioner,
v.
ERIC HOLDER,
Respondent.

No. 2:15-cv-0923 MCE DAD P

ORDER

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On May 18, 2015, the court issued an order directing respondent to file either an answer or a motion to dismiss within 60 days, and the petitioner to file either a traverse or an opposition to a motion to dismiss within 30 days thereafter. (ECF No. 5.)

On May 29, 2015, petitioner filed a motion for a “60 to 90 day” extension of time “for the ongoing petition [he] filed recently.” (ECF No. 7.) Petitioner does not further describe the deadline he is seeking to extend. The court infers that it may be the deadline to file an opposition or traverse to the responsive pleading due to be filed by respondent. Petitioner justifies the extension he seeks on the grounds that he is “currently in transit.”

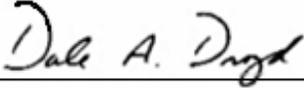
Because the court is uncertain how long petitioner will be “in transit,” and respondent has yet to file a responsive pleading, the court will deny plaintiff’s request without prejudice to its renewal at a future date if appropriate.

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Based on the foregoing, IT IS HEREBY ORDERED that:

1. Plaintiff's request for an extension of time (ECF No. 7) is denied without prejudice. Plaintiff may renew his request at such time as he arrives at his new facility. In any future request, plaintiff should specify which deadline(s) he is seeking to extend and the exact amount of time he requires, and explain all factors which justify the length of the extension he is seeking, such as the amount of time he has been deprived of his legal property.
2. Plaintiff is directed to file a notice of change of address with the court once he arrives at any new facility.

Dated: June 22, 2015



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:10
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