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

DENNIS NEWTON ERVINE,  
  
Petitioner,  
  
v.  
  
RON DAVIS,  
  
Respondent.

Case No. 2:15-cv-1916-DJC-DB  
ORDER

Petitioner is a state prisoner under sentence of death proceeding with a petition for a writ of habeas corpus under 28 U.S.C. §2254. In October, this court ordered respondent to file any motion to dismiss by January 22, 2024. Respondent sought an extension of time to February 21, 2024, that request was not opposed by petitioner and this court granted it. Respondent now seeks a second extension of time. Respondent’s counsel states that the press of other work and a planned vacation have slowed progress on the motion. Respondent has shown good cause for the fourteen additional days requested.

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1           Accordingly, IT IS ORDERED that respondent's motion for an extension of time (ECF No.  
2 67) is granted. Respondent's motion to dismiss shall be filed on or before March 6, 2024.

3 DATED: February 21, 2024

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/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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