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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER KELLY WELLS,
Petitioner,
v.
JOE A. LIZARRAGA,
Respondent.

No. 2:16-cv-2807 WBS AC P

ORDER

Petitioner has requested an extension of time, up to September 7, 2017, to file a traverse. ECF No. 27. The current deadline is July 7, 2017. ECF No. 22. He also requests a copy of respondent's answer. ECF No. 26.

In granting petitioner's previous request for an extension of time, the undersigned warned petitioner that no further extensions would be granted absent a showing of extraordinary cause. ECF No. 22. Petitioner asserts that while the inmate assisting him with this case was working on his traverse, which was nearly complete, another inmate attempted to murder a correctional officer and all inmates in the area were ordered to leave their belongings and return to their cells. ECF No. 27. As a result, petitioner's legal materials, including respondent's answer and his traverse, were confiscated and correctional staff have since been unable to locate any of his materials. Id. Petitioner has established extraordinary cause and the request for an extension will be granted. The court will also grant petitioner's request for a copy of respondent's answer.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's request for an extension of time (ECF No. 27) is granted and petitioner shall have until September 7, 2017, to file a traverse.

2. Petitioner's request for a copy of the answer (ECF No. 26) is granted. The Clerk of the Court is directed to send petitioner a copy of respondent's answer (ECF No. 13).

DATED: June 20, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE