

1 JOHN R. GRELE  
 State Bar No. 167080  
 2 1 Blackfield Dr., #158  
 Tiburon, CA 94920  
 3 (415) 348-9300 (telephone)  
 (415) 348-0364 (fax)

4 LYNNE COFFIN  
 State Bar No. 121389  
 5 38 Miller Ave., #328  
 6 Mill Valley, CA 94941  
 (415) 383-2432  
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 Attorneys for Petitioner  
 8 RICHARD DEAN CLARK

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 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 RICHARD DEAN CLARK, ) No. C-97-20618-WHA  
 15 )  
 Petitioner, )  
 16 )  
 vs. ) STIPULATION AND REQUEST FOR  
 17 ) ORDER RE EXTENSION OF TIME TO  
 ) FILE REPLY BRIEFING  
 18 )  
 KEVIN CHAPPELL, Warden of California )  
 19 State Prison at San Quentin, )  
 California, ) **DEATH PENALTY CASE**  
 20 )  
 Respondent )

21 Counsel for Plaintiff and Defendant, having conferred, it is hereby STIPULATED that:  
 22 WHEREAS Plaintiff's reply to opposition to motion for evidentiary hearing was due March 8,  
 23 2013, and a stipulation to continue to March 27, 2013 is pending;  
 24 WHEREAS counsel for Plaintiff has been engaged in litigation in the District of Nevada  
 25 concerning a large RICO case with an April 8, 2013 trial date, including preparing a writ of  
 26 mandamus challenging the decision to remove counsel, briefing on jurisdictional issues having been  
 27 ordered by the Circuit;  
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1           WHEREAS counsel for Plaintiff has been occupied with another death row inmate's case  
2 involving questions of the inmate's competency, including his competency to refuse food and water  
3 such that he was near death;

4           WHEREAS counsel for Plaintiff moved his office on March 1, 2013, which occupied nearly  
5 two weeks, including a substantial period where counsel was without computer services or access to  
6 his files, and counsel is still trying to organize his new office and has had limited access to Mr. Clark's  
7 files;

8           WHEREAS counsel has made progress on the briefing;

9           WHEREAS, for personal reasons disclosed to respondent's counsel, petitioner's counsel was  
10 delayed in his progress on the brief;

11           WHEREAS, and for the above reasons, Plaintiff is requesting an additional three (3) weeks to  
12 file his reply, to and including April 10, 2013, and Respondent has no objection.

13           IT IS SO STIPULATED

14 Dated: April 5, 2013

Respectfully submitted,

15           JOHN R GRELE  
16           LYNNE S. COFFIN  
17           Attorneys for Petitioner  
18           RICHARD DEAN CLARK

19 By: \_\_\_\_\_/s/  
                        John R Grele


20 Dated: April 5, 2013

ALICE LUSTRE  
Attorney for Respondent

21 By: \_\_\_\_\_/s/  
                        Alice Lustre

22 Pursuant to stipulation, IT IS SO ORDERED.

23 Dated:    April 10, 2013

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25 \_\_\_\_\_  
26 WILLIAM ALSUP  
27 United States District Judge  
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