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8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 TOMMY LEE FRYMAN, )  
12 )  
Petitioner. )  
13 )  
vs. )  
14 W. A. DUNCAN, Warden, et al.. )  
15 )  
Respondent. )  
16 )

No. C-05-156-MHP

**AMENDED MOTION TO EXTEND TIME  
TO FILE PETITIONER'S SUPPLEMENTAL  
TRAVERSE/REPLY; [~~Proposed~~] ORDER**

17 Petitioner Tommy Lee Fryman moves the Court to extend the date for filing his  
18 supplemental traverse/reply to Respondent's Second Supplemental Answer to **November 26,**  
19 **2008.** Petitioner previously applied for a forty-five day extension to November 24, 2008.  
20 However, due to illness in habeas counsel's office, it will require an additional two days to  
21 finalize and file the supplemental pleading. Habeas counsel has spoken to the state's attorney,  
22 Peggy Ruffra, and she has no objection to the requested two-day extension.

23 Accordingly, for the reasons set forth in Petitioner's prior application for an extension, as  
24 well as the explanation set forth herein, the Court is respectfully urged to grant this request for an  
25 extension of time to file Petitioner's supplemental traverse/reply to **November 26, 2008.**

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1 Executed under penalty of perjury this 24th day of November, 2008 at San Francisco,  
2 California.

3  
4 /s/ Nina Wilder  
5 NINA WILDER  
6 Attorney for Petitioner  
7 TOMMY LEE FRYMAN

8 IT IS SO ORDERED.

9 Dated: 11/25/2008

