

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIATHOMAS STEPHEN GUNN,
Petitioner,

No. C 07-347 SI (pr)

ORDER

v.

JAMES A. YATES, warden,
Respondent.

The court earlier vacated the briefing schedule on the petition for writ of habeas corpus because petitioner had filed a document that suggested he might want to amend his petition to assert a new claim. Petitioner then filed an "answer" to the order informing the court that he did not intend to amend his petition. (Docket # 29.) Since there will not be further amendment of the petition, the court now sets the following briefing schedule on the petition: Respondent must file and serve his answer to the petition for writ of habeas corpus no later than **February 6, 2009**. Petitioner must file and serve his traverse no later than **March 20, 2009**.

Petitioner's "motion to retrieve legal documents" is DENIED. (Docket # 28.) The documents to which he refers were already filed (see docket # 24 and # 25) and made part of the court record. Absent very unusual circumstances, once something is filed, it must remain in the court record. The documents filed by petitioner will remain part of the record. The court also will not order respondent's counsel to return his copy of those same documents to petitioner.

IT IS SO ORDERED.

DATED: January 26, 2009



SUSAN ILLSTON
United States District Judge