Ponce v. Curry

1

2

3

4

5

6

7

8

9

10

25

27

28

v.

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

LUIS ENRIQUE PONCE,

Petitioner,

Respondent.

B. CURRY, Warden,

No. C 07-0604 MMC (PR)

ORDER GRANTING REQUEST FOR EXTENSION OF TIME TO FILE TRAVERSE

(Docket No. 15)

On January 30, 2007, petitioner, a California prisoner proceeding pro se, filed the
above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Subsequently,
the case was stayed while petitioner returned to state court to exhaust previously unexhausted
claims. After petitioner returned to federal court with his exhausted claims, the Court, by
order filed August 1, 2008, ordered respondent to show cause why the writ of habeas corpus
should not be granted based on petitioner's cognizable claims.

On October 30, 2008, respondent filed an answer to the petition. According to the
briefing schedule set by the Court in the order to show cause, petitioner's traverse was due
within thirty days of the date of the answer was filed. On December 1, 2008, petitioner filed
a request for an extension of time to file the traverse; on January 6, 2009, petitioner filed the
traverse.

Good cause appearing, petitioner's request for an extension of time to file the traverse
 is hereby GRANTED. Consequently, the traverse filed on January 6, 2009 is deemed timely.
 This order terminates Docket No. 15.

IT IS SO ORDERED.

26 DATED: April 10, 2009

United States District Judge

United States District Court For the Northern District of California