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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**JOSHUA PRICE-MAHDI,**  
  
Petitioner,  
  
**v.**  
  
**RICH SUBIA, Warden,**  
  
Respondent.

C 07-5343 MHP (PR)

**[PROPOSED] ORDER  
GRANTING RESPONDENT'S  
APPLICATION FOR A NEW  
BRIEFING SCHEDULE, OR  
ALTERNATIVELY, FOR  
SUBMISSION OF THE  
MOTION TO DISMISS  
WITHOUT OPPOSITION OR  
REPLY**

Having considered Respondent's Application For A New Briefing Schedule, Or  
Alternatively, For Submission Of The Motion To Dismiss Without Opposition or Reply, and GOOD  
CAUSE APPEARING,

IT IS HEREBY ORDERED as follows:

1. Since no Opposition to Respondent's Motion To Dismiss the Petition for Writ of  
Habeas Corpus As Untimely has been filed as of this date, and since the Court has reason to believe  
that Petitioner intended to file an Opposition, the Court has decided to extend the time for filing any  
such Opposition. Accordingly, the Court hereby issues a revised briefing schedule. Even if

1 Petitioner has previously offered an Opposition for filing, he must file and serve another Opposition  
2 within the time limits set by this Order if he wishes to have it considered by the Court.

3 2. The time for filing and serving an Opposition to any Motion To Dismiss the Petition  
4 is hereby extended. Any Opposition shall now be filed on or before November 17, 2008. If no  
5 Opposition is filed by that date, the Motion To Dismiss the Petition for Writ of Habeas Corpus shall  
6 be taken under submission by the Court as of that date, without any Opposition or Reply.

7 3. If Petitioner files an Opposition by the date fixed herein, Respondent may file and serve  
8 a Reply on or before December 8, 2008, at which time the Motion To Dismiss the Petition for Writ  
9 of Habeas Corpus As Untimely shall be deemed submitted.

10 No hearing will be held on the motion. If the Court denies the Motion To Dismiss, the  
11 Court will then determine whether Respondent must file an Answer to the Petition.

12  
13 Dated: 10/21/2008

