

1 Federal Public Defender in another office outside of the San Jose division. If the case is
2 reassigned, that AFPD will need time to learn the case, review the briefing that has been done
3 thus far, contact Petitioner, and assume litigation responsibilities. Similarly, if the case is
4 paneled to CJA counsel that attorney will need additional time before an amended petition or a
5 memorandum is filed.

6 In addition, during undersigned counsel's work on the case several issues have been
7 identified that require additional investigation before an amended habeas petition, or
8 memorandum of points and authorities, can be filed. That investigation will continue while the
9 issue of counsel is resolved.

10 The Court will recall that the Petitioner is currently serving two life sentences. Mr.
11 Manai's habeas petition raises complex issues of constitutional and habeas law. A continuance
12 would provide Mr. Manai's new counsel with adequate time to effectively defend Petitioner, and
13 would not prejudice Mr. Manai or the Respondent. As of the time of filing the instant motion,
14 respondent's counsel has not responded to phone calls or emails notifying Respondent of
15 undersigned counsel's intent to request this extension.

16 The undersigned counsel accordingly respectfully request that this Court grant a six-
17 month continuance. Defender support staff that have been assigned to Mr. Manai's case are
18 continuing to work on his habeas petition. A notice of new counsel will be filed as soon as is
19 practicable, and new counsel for Mr. Manai will then file a status memorandum with the Court.

20
21 Dated: June 13, 2013

22 Respectfully submitted,

23 STEVEN G. KALAR
24 Federal Public Defender
25 Northern District of California

26 /s

27 DIANA A. GARRIDO
28 Assistant Federal Public Defender

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~~{Proposed}~~ **ORDER**

Good cause appearing, IT IS HEREBY ORDERED that the briefing schedule for the petitioner's petition for a writ of habeas corpus shall be as follows:

Petitioner's petition shall be filed no later than December 17, 2013.

IT IS SO ORDERED.

Dated: June 20, 2013

