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19 Attorneys for Respondent

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

23 RICHARD ALLEN DAVIS,  
 24 Petitioner,  
 25 vs.  
 26 KEVIN CHAPPELL, Warden, San Quentin  
 27 State Prison,  
 28 Respondent.

Case No. C-13-0408 EMC

**DEATH PENALTY CASE**

STIPULATION AND ~~PROPOSED~~ ORDER  
TO EXTEND TIME TO FILE

1           WHEREAS, on April 15, 2014, petitioner was ordered to file motions for equitable tolling  
2 and evidence preservation within forty-five (45) days;

3           WHEREAS counsel for petitioner has been unable to complete said motions due to  
4 unavoidable deadlines in other capital cases;

5           WHEREAS, the parties, having met and conferred;

6           IT IS HEREBY STIPULATED THAT:

7           Petitioner be permitted an additional thirty (30) days in which to file his motions for  
8 equitable tolling and evidence preservation, to and including June 30, 2014;

9           Further, that petitioner will not seek additional time beyond June 30, 2014, to file said  
10 motions.

11           All other provisions of the Court's April 15, 2014 Order not inconsistent with this Stipulation  
12 and Order shall remain in effect.

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Respectfully Submitted By:

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DATED: May 30, 2014.

RENE VALLADARES  
Federal Public Defender

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/s/ Michael Pescetta  
MICHAEL PESSETTA  
DAVID ANTHONY  
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Attorneys for Petitioner  
RICHARD ALLEN DAVIS

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DATED: May 30, 2014.

KAMALA HARRIS  
Attorney General for the State of California

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/s/ Glenn R. Pruden  
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Supervising Deputy Attorney General

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Attorneys for Respondent  
KEVIN CHAPPELL  
Warden of San Quentin State Prison

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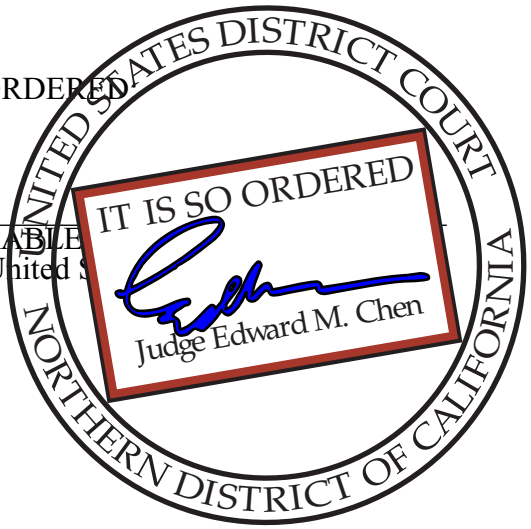
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PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 6/2, 2014.

HONORABLE  
United States



1 **CERTIFICATE OF SERVICE**

2 Pursuant to LR 5-1(e)(1), I hereby certify that on this 30th day of May, 2014, I electronically filed  
3 the following documents with the Clerk of the Court by using the CM/ECF system: **STIPULATION**  
4 **AND PROPOSED ORDER TO EXTEND TIME TO FILE.**

5 I certify that all participants in the case are registered CM/ECF users and that service will be  
6 accomplished by the CM/ECF system.

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15 /s/ Katrina Davidson  
16 An employee of the Federal Public Defender