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 7 **United States District Court**
 Northern District of California
 8 San Francisco Division

9 VINCENT TURNER,

10 *Petitioner,*

11 v.

12 FRED FOULK, Warden, High Desert
 State Prison

13 *Respondent,*

14 PEOPLE OF THE STATE OF CALIFORNIA,

15 *Real Party in Interest.*
 16

No. **3:13-CV-05718-VC**

MOTION AND DECLARATION OF GOOD
 CAUSE TO PERMIT LATE FILING OF
 TRAVERSE AND REPLY MEMORANDUM

17 **MOTION AND DECLARATION OF GOOD CAUSE TO PERMIT LATE FILING OF**
 18 **TRAVERSE AND REPLY MEMORANDUM**

I, Manisha Daryani, declare under penalty of perjury as follows:

19 1. On December 10, 2013, petitioner filed a petition for writ of habeas corpus.
 20 Respondent filed its brief on June 5, 2014.

21 2. Petitioner requested and received three extensions of time to file the traverse and reply
 22 memorandum for a total of 97 days. The traverse and reply memorandum were due on Friday,
 23 October 10, 2014.

24 3. I was able to finish the reply memorandum on that date, but after 5:00 p.m. When
 25 I attempted to e-file the documents, I learned that ECF was down for maintenance until noon
 26 today, Monday, October 13, 2014.
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4. On behalf of petitioner, I request leave to file the traverse and reply memorandum three days late.

5. Petitioner is not on bail and is serving a sentence of 48 years to life in state prison. Accordingly, respondent will not be prejudiced by the reply brief being filed three days late.

I declare under penalty of perjury that the facts set forth in this motion are true and correct. Executed in Oakland, California, on Monday, October 13, 2014.

/s/ Manisha Daryani

Manisha Daryani
Attorney for Petitioner

Date: October 14, 2014

