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

WALTER JOSEPH COOK, III,

Plaintiff,

v.

SCOTT KERNAN,

Defendant.

No. C 15-06343 WHA

**ORDER GRANTING IN PART  
AND DENYING IN PART  
RESPONDENT'S MOTION FOR  
ENLARGEMENT OF TIME**

In this habeas action, a previous order, issued by Magistrate Judge Laurel Beeler, ordered respondent Scott Kernan to respond to the instant habeas petition by April 4, 2016 (Dkt. No. 8). The case was subsequently reassigned to the undersigned judge and the reassignment order stated that all briefing schedules and other deadlines remained unchanged (Dkt. No. 12). Respondent failed to respond by the deadline and was subsequently ordered to show cause why no response to the habeas petition had been filed. On May 20, 2016, respondent explained that the failure to respond had been due to an oversight. That same day, respondent filed a motion to dismiss the petition. Respondent later asked for an extension to file its reply in support of its motion to dismiss. A brief extension was granted. On June 20, 2016, respondent withdrew the motion to dismiss and asked the court for 60 days to file an answer to the petition. An order granted an extension to file an answer until July 25, 2016.

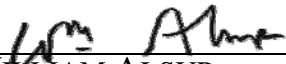
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Respondent now seeks an additional extension until August 4, 2016, to file an answer. Respondent's reason is a "pre-planned, pre-paid two-week vacation" by counsel. Respondent shall have until **AUGUST 1, 2016**, to file an answer. No further extensions shall be granted.

If the petitioner wishes to respond to the answer, he must do so by filing a traverse with the court and serving it on respondent within 30 days of his receipt of the answer.

**IT IS SO ORDERED.**

Dated: July 22, 2016.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE