

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

**WILLIE BRANNER, aka JAMES WILLIS
JOHNSON,**

Petitioner,

v.

**Robert L. AYERS, Warden of California State
Prison at San Quentin,**

Respondent.

CAPITAL CASE

C-90-3219-DLJ

**ORDER GRANTING
RESPONDENT'S EX PARTE
APPLICATION FOR A NINTH
ENLARGEMENT OF TIME TO
FILE AN UPDATED MOTION TO
DISMISS BASED ON THE AEDPA
STATUTE OF LIMITATIONS, 28
U.S.C. § 2244(d)**

Having considered Respondent's Ex Parte Application For A Ninth Enlargement Of Time To File An Updated Motion To Dismiss Based On the AEDPA Statute Of Limitations, 28 U.S.C. § 2244(d), and GOOD CAUSE APPEARING,

IT IS HEREBY ORDERED as follows:

1. Respondent's Ex Parte Application For A Ninth Enlargement Of Time To File An Updated Motion To Dismiss Based On The AEDPA Statute Of Limitations, 28 U.S.C. § 2244(d) is GRANTED.

2. Time shall enlarge by 60 days, and Respondent shall file and serve his Updated Motion on or before October 28, 2008. Petitioner shall file an opposition within 45 days of the date of service of Respondent's motion. Respondent shall file a reply within 30 days of the date of service

Branner v. Ayers - [Proposed] Order Granting Resp. Ex Parte Appl. for a Ninth Enlargement of Time - C-90-3219-DLJ

1 of Petitioner's opposition.

2 3. The Court shall set a hearing date if necessary.

3 DATED: **September 2, 2008**

4 
5 _____
6 D. LOWELL JENSEN, Judge
7 United States District Court

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28