

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAYMOND-CARLOS QUINONEZ,

No. C 09-04272 SBA (PR)

Petitioner,

**ORDER GRANTING PETITIONER'S  
REQUEST FOR AN EXTENSION OF  
TIME AND DENYING HIS REQUEST  
FOR SANCTIONS**

v.

KELLY HARRINGTON, Warden,

Respondent.

Petitioner, a state prisoner, filed a pro se petition for a writ of habeas corpus. In an Order dated March 31, 2011, the Court granted Respondent's motion to dismiss the petition as a "mixed petition" containing both exhausted and unexhausted claims. The Court directed Petitioner within thirty days to file his amended petition containing only exhausted claims or to request to stay the petition while he returns to state court to exhaust his unexhausted claims.

Before the Court is Petitioner's motion for an extension of time up to and including May 16, 2011 in order to "comply with this Court's previous ORDER of 3-31-11" (docket no. 15). Good cause appearing, his request is GRANTED. Petitioner may file either an amended petition or a request for a stay no later than **May 16, 2011**.

Petitioner has also filed a motion for the Court to issue sanctions on Respondent for "not complying with the Court's explicit ORDER to serve upon the Petitioner a Reply to the Opposition that Petitioner filed" in response to the motion to dismiss (docket no. 14). As mentioned above, the Court has already ruled on the motion to dismiss, and it is allowing Petitioner to file either an amended petition or a request for a stay. Accordingly, Petitioner's request for sanctions is DENIED.

This Order terminates Docket nos. 14 and 15.

IT IS SO ORDERED.

DATED: 5/10/11

  
SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF  
4 CALIFORNIA

5 RAYMOND-CARLOS QUINONEZ,  
6  
7 Plaintiff,

Case Number: CV09-04272 SBA

**CERTIFICATE OF SERVICE**

8 v.

9 HARRINGTON et al,

10 Defendant.

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on May 13, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
16 receptacle located in the Clerk's office.

17 Raymond-Carlos Quinonez E-15587  
18 Kern Valley State Prison  
19 P.O. Box 5103  
20 Delano, CA 93216-5103

21 Dated: May 13, 2011

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk