

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

ANDRES P. CASTILLO,
Petitioner,

vs.

CONNIE GIPSON, Warden,
Respondent.

No. C 13-0959 YGR (PR)

**ORDER GRANTING EXTENSION OF
TIME TO FILE AMENDED PETITION**

Petitioner, a state prisoner, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 and a motion to stay his federal petition while he exhausts his remedies in state court.

On March 15, 2013, the Court issued an Order granting Petitioner's request for a stay of proceedings while he returned to state court to exhaust his administrative remedies. The Court also stated:

Nothing further will take place in this action until Petitioner receives a final decision from the highest state court and, within **twenty-eight (28) days** of doing so, moves to reopen the action, lift the Court's stay and amend the stayed petition to add the newly-exhausted claims.

(Mar. 15, 2013 Order at 2.)

On July 1, 2013, Petitioner informed the Court that his state proceedings had concluded; however, he has requested an extension of time up to and including July 31, 2013 to amend the stayed petition to add the newly-exhausted claims. Petitioner's request for an extension of time is **GRANTED**. No later than **July 31, 2013**, Petitioner must file an amended petition in this Court which incorporates the newly-exhausted claims he intends to raise in federal court. The Court will lift the stay on the date that Petitioner files his amended petition. Petitioner must submit the amended petition on the attached blank habeas petition form, clearly label the petition as the "Amended Petition," and write in the case number for this action -- C 13-0959 YGR (PR) -- on the form. He should also attach to his amended petition a copy of his petition to the California Supreme


1 Court, if the document is available to him. **If Petitioner fails to file an amended petition by July**
2 **31, 2013, the Court will dismiss this action without prejudice for failure to prosecute.**

3 The Clerk of the Court shall send Petitioner a blank § 2254 habeas petition form.

4 This Order terminates Docket No. 12.

5 IT IS SO ORDERED.

6 DATED: July 12, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE