

1 BARRY J. PORTMAN  
 Federal Public Defender  
 2 CYNTHIA C. LIE  
 Assistant Federal Public Defender  
 3 160 West Santa Clara Street, Suite 575  
 San Jose, CA 95113  
 4 Telephone: (408) 291-7753

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5 Counsel for Petitioner DENNIS RAY BARNETT

6  
 7 IN THE UNITED STATES DISTRICT COURT  
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SAN JOSE DIVISION

10 DENNIS RAY BARNETT,	)	No. C 08-01604 RMW
	)	
11	)	STIPULATION AND []
	)	ORDER EXTENDING BRIEFING
12 v.	)	SCHEDULE ON RESPONDENT'S
	)	MOTION TO DISMISS
13	)	
MIKE KNOWLES, Warden, et al.	)	
14	)	
	)	
15 Respondents.	)	

16  
17 **STIPULATION**

18 The parties hereby stipulate and agree that the currently set briefing schedule on the  
 19 respondent's motion to dismiss may be extended to allow petitioner to file his opposition to  
 20 respondent's motion on or before April 6, 2009. The purpose of this request is to allow counsel  
 21 time to obtain petitioner's inmate file and related medical and mental health records. The parties  
 22 further agree that respondent's optional reply brief may be filed on or before May 6, 2009.

23  
24 Dated: January 14, 2009

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 /s/  
 GREGORY A. OTT  
 26 Deputy Attorney General

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Dated: January 14, 2009

s/ \_\_\_\_\_  
CYNTHIA C. LIE  
Assistant Federal Public Defender

**[] ORDER**

Good cause appearing and by stipulation of the parties, it is hereby ordered that the currently set briefing schedule on the respondent's motion to dismiss be extended to allow petitioner to file his opposition on or before April 6, 2009, with respondent's reply brief, if any, to be filed on or before May 6, 2009.

Dated: January 29, 2009

  
RONALD M. WHYTE  
United States District Judge