Barnett v. Knowles et al Doc. 26

1 BARRY J. PORTMAN Federal Public Defender CYNTHIA C. LIE 2 Assistant Federal Public Defender 3 160 West Santa Clara Street, Suite 575 San Jose, CA 95113 Telephone: (408) 291-7753 \*E-FILED - 4/6/09\* 4 5 Counsel for Petitioner DENNIS RAY BARNETT 6 7 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA 8 9 SAN JOSE DIVISION DENNIS RAY BARNETT, No. C 08-01604 RMW 10 11 STIPULATION AND [] Petitioner, ORDER EXTENDING BRIEFING SCHEDULE ON RESPONDENT'S 12 MOTION TO DISMISS 13 MIKE KNOWLES, Warden, et al. 14 Respondents. 15 16 **STIPULATION** 17 The parties hereby stipulate and agree that the currently set briefing schedule on 18 19 respondents' motion to dismiss may be extended to allow petitioner additional time to file his opposition to respondents' motion. The current due date for petitioner's opposition brief is April 20 21 6, 2009. As of the date of this stipulation, the parties have not yet received a copy of petitioner's inmate file from the Department of Corrections and Rehabilitation due to the voluminous amount 22 23 of material contained in the file. The parties anticipate that a copy of the inmate file will be provided within the next two weeks for their review. The purpose of this extension request is to 24 25 allow petitioner's counsel further time to obtain the inmate file, review the voluminous records, 26 and conduct any further investigation in order to prepare the opposition brief. The parties agree Stipulation and [] Order Extending Briefing Schedule 1 No. C 08-01604 RMW Dockets.Justia.com

1	on the following briefing schedule: petitioner shall file his opposition to respondents' motion to
2	dismiss on or before July 6, 2009. Respondents may file an optional reply brief on or before
3	August 21, 2009.
4	
5	Dated: April 1, 2009
6	/s/ GREGORY A. OTT
7	Deputy Attorney General
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9	Dated: April 1, 2009
10	/s/_ CYNTHIA C. LIE
11	Assistant Federal Public Defender
12	
13	[] ORDER
14	Good cause appearing and by stipulation of the parties, it is hereby ordered that the
15	currently set briefing schedule on the respondent's motion to dismiss be extended to allow
16	petitioner to file his opposition on or before July 6, 2009, with respondent's reply brief, if any, to
17	be filed on or before August 21, 2009.
18	Rose A Mark +
19	Dated: April 6, 2009  Konald M. Whyte
20	RONALD M. WHYTE United States District Judge
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	Stipulation and [] Order Extending

Stipulation and [] Order Extending Briefing Schedule No. C 08-01604 RMW