Barnett v. Knowles et al Doc. 28 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 Telephone: (408) 291-7753 4 \*E-FILED - 6/17/09\* 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 No. C 08-01604 RMW 10 DENNIS RAY BARNETT, 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 July 20 21 6, 2009. The purpose of this extension request is to allow petitioner's counsel additional time to 22 meet with Mr. Barnett in order to prepare the opposition brief. 23 // 24 25 // 26 Stipulation and [] Order Extending Briefing Schedule 1 No. C 08-01604 RMW

| 1  | The parties agree on the following briefing schedule: petitioner shall file his opposition to     |
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| 2  | respondents' motion to dismiss on or before August 10, 2009. Respondents may file an optional     |
| 3  | reply brief on or before September 14, 2009.  |
| 4  |   |
| 5  | Dated: June 11, 2009  |
| 6  | <br>GREGORY A. OTT  |
| 7  | Deputy Attorney General   |
| 8  |   |
| 9  | Dated: June 11, 2009  |
| 10 | <br>CYNTHIA C. LIE  |
| 11 | Assistant Federal Public Defender   |
| 12 |   |
| 13 | [PROPOSED] 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 August 10, 2009, with respondent's reply brief, if |
| 17 | any, to be filed on or before September 14, 2009.   |
| 18 | $oldsymbol{ ho}$  |
| 19 | Dated: June 17, 2009 Konald M. Whyte  |
| 20 | RONALD M. WHYTE United States District Judge  |
| 21 | Officed States District Judge   |
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