

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

E-FILED - 9/11/09

5 Counsel for Petitioner DENNIS RAY BARNETT

6

7

8

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

9

10

SAN JOSE DIVISION

11

DENNIS RAY BARNETT,)

No. C 08-01604 RMW

12

Petitioner,)

STIPULATION AND []
 ORDER EXTENDING BRIEFING
 SCHEDULE ON RESPONDENT'S
 MOTION TO DISMISS

13

v.)

14

MIKE KNOWLES, Warden, et al.)

15

Respondents.)

16

17

18

STIPULATION

19

The parties hereby stipulate and agree that the currently set briefing schedule on
 20 respondents' motion to dismiss may be extended to allow petitioner additional time to file his
 21 opposition to respondents' motion. The current due date for petitioner's opposition brief is
 22 September 10, 2009. The purpose of this extension request is to allow petitioner's counsel time
 23 to conduct further investigation and to obtain and review additional records relevant to
 24 petitioner's opposition briefing.

25

//

26

//

1 The parties agree on the following briefing schedule: petitioner shall file his opposition to
2 respondents' motion to dismiss on or before November 9, 2009. Respondents may file an
3 optional reply brief on or before December 15, 2009.

4 Dated: September 4, 2009

5 /s/
6 GREGORY A. OTT
Deputy Attorney General

7 Dated: September 4, 2009

8 /s/
9 CYNTHIA C. LIE
Assistant Federal Public Defender

10
11 **[] ORDER**

12
13 Good cause appearing and by stipulation of the parties, it is hereby ordered that the
14 currently set briefing schedule on the respondent's motion to dismiss be extended to allow
15 petitioner to file his opposition on or before November 9, 2009, with respondent's reply brief, if
16 any, to be filed on or before December 15, 2009.

17 Dated: September 11, 2009

18 *Ronald M. Whyte*
19 RONALD M. WHYTE
United States District Judge