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9 Attorneys for Respondent

10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

14 CARLOS CHICO,	
	Petitioner,
15	
16	v.
17 ROSEANNE CAMPBELL, Warden,	
	Respondent.

C 05-01282 MJJ

**DECLARATION OF
 NANETTE WINAKER IN
 SUPPORT OF APPLICATION
 FOR EXTENSION OF TIME
 TO FILE RESPONSE**

20 I, NANETTE WINAKER, declare under penalty of perjury:

21 I am a Deputy Attorney General for the State of California and am responsible for the
 22 preparation and filing of a response to this Court’s Order to Show Cause in this habeas proceeding.

23 This Court’s Order to Show Cause was filed May 16, 2007, and ordered respondent to file
 24 an answer within 60 days or by July 15, 2007. On July 23, 2007, this Court granted my application
 25 requesting an additional 60 days in which to file an answer; the current due date is September 13,
 26 2007. I am unable to prepare and file a response by September 13, 2007, for the reasons set forth
 27 below.

28 In the past 60 days, I have filed respondent’s briefs in the California Courts of Appeal in

1 *People v. Mazza* (A115237), *People v. Ray* (A111688), and *People v. Givens* (A115487). I have
2 also filed a supplemental brief in *People v. Tran* (H030306). In addition, I was out-of-state and out
3 of the office between July 18, 2007 – July 24, 2007, and August 20, 2007 – August 24, 2007.

4 I am currently preparing a respondent's brief in *People v. Bryant* (A114925), and will be
5 out of the office on a prepaid vacation between September 12, 2007, and September 21, 2007. I
6 must also prepare an answer in a previously assigned case. *See e.g., Saldana v. Scribner* (C 06-
7 02126 JW (PR)).

8 I have contacted petitioner's counsel, Benjamin Ramos, and he has stipulated to the
9 requested extension of time.

10 Accordingly, I request that the Court grant respondent an extension of sixty days, to and
11 including November 12, 2007, in which to file the response.

12 Dated: September 24, 2007

13 Respectfully submitted,

14 EDMUND G. BROWN JR.
Attorney General of the State of California

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19
20 /s/ Nanette Winaker

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