

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PATRICK JOSEPH MCCABE,)	Case No.: 11-CV-00988-LHK
)	
Petitioner.)	ORDER SEEKING GOVERNMENT’S
v.)	RESPONSE TO PETITIONER’S EX
)	PARTE MOTION
UNITED STATES OF AMERICA,)	
)	(re: dkt. #2)
Respondent.)	

On February 22, 2011, the Honorable Nandor J. Vadas granted the United States government’s request for a certificate of extradition with respect to Petitioner. *See* Dkt. #75 in *In the Matter of the Extradition of Patrick McCabe*, Case Number 10-XR-90622-NKV (“Extradition Order”). On March 3, 2011, Petitioner filed a petition for a writ of habeas corpus before this Court. On March 11, 2011, Petitioner filed an ex parte motion seeking a stay of surrender pending review of the Extradition Order in habeas corpus proceedings. *See* Dkt. #2. Before ruling on this motion, the Court seeks a response by the United States.


Accordingly, the United States shall file a response to Petitioner’s motion by Wednesday, March 15, 2011. Petitioner may file a brief Reply on Thursday, March 16, 2011. As counsel for the United States has not yet appeared, counsel for Petitioner shall serve this Order on the United

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States and file proof of service with the Court by **11:00 a.m., Monday, March 14, 2011.**

IT IS SO ORDERED.

Dated: March 11, 2011



LUCY H. KOH
United States District Judge