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

FRANCISCO DOMIGUEZ,)	No. C 12-5896 RMW (PR)
)	
Petitioner,)	ORDER DENYING MOTION
)	FOR DEFAULT JUDGMENT;
v.)	GRANTING EXTENSION OF
)	TIME TO FILE OPPOSITION
MATTHEW CATE,)	
)	
Respondent.)	
_____)	(Docket Nos. 14 & 17)

Petitioner, a state prisoner proceeding pro se, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 29, 2013, respondent filed a motion to dismiss. (Docket No. 16.) On July 5, 2013, petitioner filed a motion for an extension of time “to file my traverse to respondent’s reply.” (Docket No. 17.) The court construes petitioner’s motion as a request for an extension of time to file an opposition to respondent’s motion to dismiss.

Petitioner’s opposition to respondent’s motion to dismiss was due June 26, 2013. Although petitioner’s motion for an extension of time is untimely, Petitioner’s motion is **GRANTED** in the interest of justice. (Docket No. 17.) Petitioner must file an opposition to respondent’s motion **no later than twenty-eight (28) days** from the date this order is filed. If petitioner fails to file an opposition by the due date, respondent’s motion to dismiss will be deemed submitted without opposition.

Petitioner has also filed a motion for default judgment. (Docket No. 14.) After receiving an extension of time from the court (docket no. 13), respondent filed a timely motion to dismiss.