

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

MICHAEL C. SKAKEL	:	
Petitioner,	:	Case No. 3:07 CV 1625 (PCD)
	:	
v.	:	
	:	
PETER J. MURPHY,	:	APRIL 15, 2008
Respondent.	:	

**SECOND JOINT MOTION FOR EXTENSION OF  
TIME TO COMPLY WITH COURT’S ORDER**

Pursuant to Rule 7(b) of the Local Rules of Civil Procedure for the District of Connecticut, the petitioner and the respondent, by and through their respective counsel, hereby request an extension of time of thirty days, or until **May 30, 2008**, to file their cross motions for summary judgment in compliance with the court’s order dated March 5, 2008. This is the second request for an extension of time by the parties with respect to the court’s order to file motions for summary judgment.

The grounds for this motion are as follows:

1. After trial by jury in the Superior Court for the Judicial District of Fairfield, the petitioner was convicted murder, in violation of General Statutes § 53a-54a. On August 29, 2002, the trial court, *Kavanewsky, J.*, sentenced the petitioner to imprisonment for a term of twenty years to life. The petitioner appealed to the Connecticut Supreme Court, which affirmed his conviction on January 24, 2006. State v. Skakel, 276 Conn. 633, 888 A.2d 985 (2006). The petitioner filed a petition for certification to the United States Supreme Court which was denied on November 13, 2006. Skakel v. Connecticut, \_\_\_ U.S. \_\_\_, 127 S.Ct. 578, 166 L.Ed.2d 428 (2006).

2. On August 25, 2005, the petitioner filed a petition for a new trial pursuant to General Statutes § 52-270 in the Superior Court for the Judicial District of Fairfield.

The trial court, *Karazin, J.*, denied the petitioner's petition for a new trial on October 25, 2007. Skakel v. State, CV05-0006524-S, Judicial District of Fairfield.

3. The petitioner filed his application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on November 5, 2007. On November 8, 2007, this court issued an order to show cause that directed the respondent to file a response by November 30, 2007.

4. On November 29, 2007, the respondent filed a motion for extension of time seeking permission to file his answer to the petitioner's habeas corpus petition by December 21, 2007. On November 30, 2007, this court granted the respondent's motion. On December 21, 2008, the respondent filed his answer.

5. On March 5, 2008, this court ordered the petitioner and the respondent to file cross-motions for summary judgment by March 31, 2008.

6. On March 11, 2008, the parties filed the first joint motion for an extension of time to file cross-motions for summary judgment by April 30, 2008, which was granted by this Court on March 12, 2008.

7. Counsel for the petitioner filed the state appellate brief in Skakel v. State of Connecticut, A.C. 29363 on April 11, 2008. which is the appeal of the state trial court's ruling denying the peititoner's motion for new trial. Additionally, counsel for the petitioner continue to be on trial in state court on the complex litigation docket in a civil proceeding that arises from the City of Bridgeport corruption charges involving former Mayor Ganim, Bridgeport Harbour Place I, LLC v. Joseph P. Ganim, et al., Docket No. UWY-CV-04-0184523S (X06). The evidence in that case began on March 4, 2008 and is estimated to continue into May. Moreover, counsel are scheduled to being a jury trial in a criminal matter before Judge Chatigny on May 13, 2008 in United States v. DelCastillo, Crim. No. 3:06CR332 (RNC). Therefore, counsel for the petitioner require additional time in order to meet all of their obligations.

8. In addition to representing the respondent in this case, counsel for the respondent also represents the respondent-commissioner in Nathaniel Carmona v. Commissioner of Correction, A.C. 29394, an expedited appeal pending before the Connecticut Appellate Court. Counsel for the respondent filed his brief in Carmona on March 20, 2008 and will be required to present oral argument in the case on April 30, 2008. Counsel for the respondent also represents the respondent-commissioner in Bernale Bryant v. Commissioner of Correction, S.C. 17896, a case pending before the Connecticut Supreme Court. Counsel for the respondent will be required to present oral argument in Bryant on April 24, 2008. In addition, for the past several weeks, counsel for the respondent, as the supervisor of the Civil Litigation Bureau, has been reviewing applications and conducting interviews to fill a vacancy that currently exists in the bureau.

9. Counsel for the respondent, who is a member of the U.S. Army Reserve, will be required to report to his unit at Offutt Air Force Base, Nebraska, for mandatory training from April 17 to April 19, 2008 and from May 5 to May 14, 2008. Because of the time required to meet his other responsibilities, counsel for the respondent believes that it will take him approximately two weeks after his return from training on May 14, 2008, to complete the respondents motion for summary judgment in this case.

WHEREFORE, the petitioner and the respondent jointly move this court for an extension of time of thirty days, or until **May 30, 2008**, to file their cross-motions for summary judgment in this case.

Respectfully submitted,

MICHAEL C. SKAKEL

WARDEN PETER J. MURPHY

PETITIONER

RESPONDENT

By: /s/ Hope C. Seeley  
HOPE C. SEELEY  
Santos & Seeley, P.C.  
51 Russ Street  
Hartford, Connecticut 06106  
Tel. No. (860) 249-6548  
Fax No. (860) 724-5533  
E-mail: hseeley@santos-seeley.net  
Federal Bar No. ct 04863

By: /s/ Michael E. O'Hare  
MICHAEL E. O'HARE  
Supervisory Assistant State's Attorney  
Office of the Chief State's Attorney  
300 Corporate Place  
Rocky Hill, Connecticut 06067  
Tel. No. (860) 258-5887  
Fax No. (860) 258-5968  
E-mail: michael.ohare@po.state.ct.us  
Federal Bar No. ct 05318