

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ARLYN P. ILDEFONSO,)	4:13CV3110
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
BRIAN GAGE, Warden,)	
)	
Respondent.)	

This matter is before the Court on Petitioner’s “Motion Requesting the Respondent be Ordered to File Additional Materials/Documents” (Filing No. 55) and Motion for Enlargement of Time (Filing No. 56).

Petitioner’s request for an extension of time (Filing No. 56) will be granted as provided below. However, as Petitioner has already been informed, Respondent has filed *all of the state court records* that are in the possession of the State of Nebraska. Indeed, Respondent has filed more than 2,000 pages of state court records in this matter. Therefore, his request that the Court order Respondent to file additional state court records is denied.

If Petitioner argues Respondent should be compelled to produce Petitioner’s original motion for post-conviction relief, his request is denied for the reasons already explained to Petitioner in the Court’s order dated September 5, 2014. (Filing No. 42 at ECF 1.) Accordingly,

IT IS ORDERED:

1. Petitioner’s “Motion Requesting the Respondent be Ordered to File Additional Materials/Documents” (Filing No. 55) is denied.

2. Petitioner's request for an extension of time (Filing No. 56) is granted. Petitioner will be given an additional 45 days in which to file a motion that specifies what discovery he seeks and his reason for requesting the discovery. Any such motion must include any proposed interrogatories and requests for admission, and must specify any requested documents. *See Rule 5 of the Rules Governing Section 2254 Cases.*

3. The Court will consider this matter fully submitted for disposition in 45 days if no discovery motion is filed in such time.

4. The Clerk of the Court is directed to set the following case management deadline: April 15, 2015: check for discovery motion; case fully submitted if none filed.

DATED this 27th day of February, 2015.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge