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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KEVIN JAMES LISLE,

v.

WILLIAM GITTERE, et al.,

Respondents.

Case No. 2:03-cv-01006-MMD-CWH

ORDER

In this capital habeas action, Respondents filed an answer on October 1, 2018 (ECF No. 318). After two extensions of time, Petitioner Kevin James Lisle was due to file his reply to the answer and any motion for discovery or for an evidentiary hearing by March 1, 2019. (See Order entered March 17, 2017 (ECF No. 284); Order entered November 8, 2018 (ECF No. 320); Order entered January 15, 2019 (ECF No. 323).)

Lisle filed his reply on March 1, 2019 (ECF No. 329). On that date, however, Lisle also filed a motion for extension of time (ECF No. 331), requesting a six-day extension of time to file a motion for evidentiary hearing. The Court finds that Lisle’s motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time.

The Court will grant the motion for extension of time for the motion for evidentiary hearing. The Court will also set a schedule for Respondents to respond to the reply and the anticipated motion for evidentiary hearing.


It is therefore ordered that Petitioner’s motion for extension of time (ECF No. 331) is granted. Petitioner will have until March 7, 2019, to file a motion for evidentiary hearing.

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It is further ordered that Respondents will have 30 days from the date on which Petitioner files his motion for evidentiary hearing to file a response to Petitioner's reply and a response to Petitioner's motion for evidentiary hearing.

It is further ordered that, in all other respects, the schedule for further proceedings set forth in the order entered March 17, 2017 (ECF No. 284) will remain in effect.

DATED THIS 4th day of March 2019.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE