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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-1006-MMD-CWH

ORDER

In this capital habeas corpus action, Petitioner Kevin James Lisle has filed, *pro se*, a motion to waive further proceedings and voluntarily dismiss this action. (ECF No. 359.) The Court has determined that Petitioner’s motion raises the questions of whether Petitioner is competent to make such a waiver and whether his waiver is knowing, intelligent and voluntary, and the Court has determined that a mental health examination of Petitioner is necessary in order to resolve those questions. (See ECF No. 358 (Order entered June 20, 2019).) Respondents and the Federal Public Defender (“FPD”) entered a stipulation (ECF No. 362), and the Court approved the stipulation (ECF No. 363), establishing a procedure for the mental health examination. On November 4, 2019, the Court appointed an expert, Dr. Melissa Piasecki, to conduct the mental health examination. (ECF No. 382.) Dr. Piasecki’s report was originally due December 31, 2019 (ECF No. 382), but that deadline was extended to the end of February of 2020—actually March 2, 2020, as February 29 was a Saturday—by a stipulation approved by the Court (ECF No. 384). Dr. Piasecki’s report has not been filed.

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It is therefore ordered that, no later than March 10, 2020, the parties are to either file Dr. Piasecki's report and supporting documents as described in paragraphs 14 and 15 of the July 5, 2019 stipulation and order (ECF No. 363), or file a joint statement or stipulation explaining the delay and proposing a new schedule.

DATED THIS 4th day of March 2020.


MIRANDA M. DU,
CHIEF UNITED STATES DISTRICT JUDGE