

1

2

3

4

5

6

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

7

8

9 JOHN TOLE MOXLEY,

10 *Petitioner,*

2:07-cv-01123-RLH-GWF

11 vs.

ORDER

12

13 DWIGHT NEVEN, *et al.*,14 *Respondents.*

15

16 Following upon petitioner's motion (#48) for partial dismissal in this represented habeas
17 matter under 28 U.S.C. § 2254, which motion has not been opposed,

18 IT IS ORDERED that petitioner's motion (#48) is GRANTED and that Ground 7 is
19 DISMISSED without prejudice.

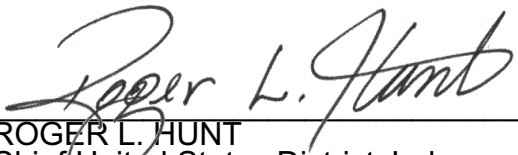
20 IT FURTHER IS ORDERED that respondents shall file an answer to the petition on or
21 before **August 20, 2010**. If respondents wish to present any additional procedural defenses
22 that have not been addressed during the show cause inquiry, respondents shall include same
23 in the answer together with a response on the merits to all claims that remain before the Court
24 following upon this order and the prior order (#42) of partial dismissal.

25 IT FURTHER IS ORDERED that petitioner shall have until **September 20, 2010**, within
26 which to file a reply to the answer.

27 **No extensions of time will be granted except in extraordinary circumstances, as**
28 **the Court is seeking to resolve all aspects of this matter, if possible, by September 30,**

1 **2010. Any extensions of time sought based upon scheduling conflicts with deadlines**
2 **in other cases in this District should be sought in the earlier-filed case.**

3 DATED: July 19, 2010.

4
5
6 
7

ROGER L. HUNT
Chief United States District Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28