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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MITCHELL ADAM CHIRCHICK,

Petitioner,

vs.

BRIAN E. WILLIAMS, *et al.*,

Respondents.

2:10-cv-00745-GMN-RJJ

ORDER

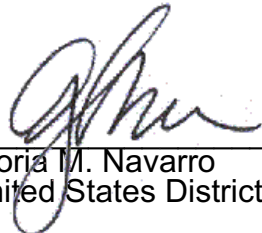
In connection with petitioner’s motion (#8) for reconsideration, styled as a petition for rehearing, which has been filed within the time period for seeking relief under Rule 59 of the Federal Rules of Civil Procedure,

IT IS ORDERED that, within **forty-five (45) days** of entry of this order, **respondents** shall enter a notice of appearance and shall file and serve a response to the motion. The response – subject to the proviso below – shall be accompanied by the relevant portion of an appropriately redacted copy of the prison legal mail log from within the period from April 27, 2011, through February 8, 2012, with a covering declaration or affidavit by a records custodian with personal knowledge as to the presence or absence of relevant entries. If there are no entries in the log reflecting that a mailing that could contain a copy of the Court’s April 27, 2011, order was available to be received and/or was received by petitioner, then the records custodian simply can so attest in the declaration or affidavit without the need to attach what then merely would be a completely redacted copy of pages from the log. No response otherwise is required from respondents other than to respond as above.

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IT FURTHER IS ORDERED that petitioner may file a reply to respondents' response within **thirty (30) days** of service of the response.¹

DATED this 15th day of February, 2012.



Gloria M. Navarro
United States District Judge

¹In the motion for reconsideration, petitioner requests that, if the matter is reopened, he be given 120 days to file an amended petition in response to the Court's prior order. The Court typically does not grant more than 30 to 60 days to amend a petition. Petitioner therefore may find it prudent to begin work on an amended petition in the interim without waiting to find out whether or not his motion for reconsideration will be granted. The Court notes in this regard that the docket entry for the motion for reconsideration reflects that the Clerk sent petitioner another copy of the order (#4) directing the filing of an amended petition. If the Court ultimately grants the motion for reconsideration and reopens the matter, it likely will allow petitioner 60 days from entry of such order within which to file an amended petition. At present, however, the Court has not rendered a decision on the motion for reconsideration, and that motion remains pending.