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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CARLOS A. ESCOBAR,

Petitioner,

vs.

ANTHONY SCILLIA, et al.,

Respondents.

Case No. 2:10-cv-01973-KJD-NJK

**ORDER**

Respondents have submitted a motion for enlargement of time (first request) (#41). The court grants this motion.

On the court's docket are two motions from petitioner: A motion for issuance of stay and abeyance order under Rhines v. Weber (#37) and a motion for leave to amend second amended petition (#38). They are actually the same document. Petitioner has filed errata (#39), indicating that the caption was titled incorrectly, and asking that the court delete the motion for leave to amend second amended petition. The court will strike the motion for leave to amend.

IT IS THEREFORE ORDERED that respondents' motion for enlargement of time (first request) (#41) is **GRANTED**. Respondents shall have through May 16, 2013, to file and serve a response to petitioner's motion for issuance of stay and abeyance order under Rhines v. Weber (#37).

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IT IS FURTHER ORDERED that the clerk of the court **STRIKE** the motion for leave to amend second amended petition (#38).

DATED: May 9, 2013



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KENT J. DAWSON  
United States District Judge