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3 **UNITED STATES DISTRICT COURT**4 **DISTRICT OF NEVADA**

5 CURTIS GUY,

6 Petitioner,

7 v.

8 WILLIAM GITTERE, *et al.*,

9 Respondents.

Case No.: 2:11-cv-01809-APG-NJK

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME**

(ECF No. 139)

10 In this capital habeas corpus action, after an initial period of 119 days, and extensions of
11 60, 62, 45, and 32 days, the respondents were due to file their answer to Petitioner Curtis Guy's
12 second amended habeas petition by October 28, 2021. *See* Order entered January 15, 2021 (ECF
13 No. 130) (initial 119-day period); Order entered May 17, 2021 (ECF No. 132) (60-day
14 extension); Order entered July 14, 2021 (ECF No. 134) (62-day extension); Order entered
15 September 14, 2021 (ECF No. 136) (45-day extension); Order entered November 1, 2021 (32-
16 day extension).

17 The second amended petition was filed on March 18, 2019 (ECF No. 90). Respondents
18 filed a motion to dismiss on November 4, 2019 (ECF No. 105), and that motion was resolved on
19 January 15, 2021 (ECF No. 130). Following the Court's order resolving the motion to dismiss,
20 Respondents have had more than ten months to file their answer.

21 On November 29, 2021, Respondents filed a motion for extension of time (ECF No. 139),
22 requesting a further 45-day extension, to January 13, 2022. Respondents' counsel states that the
23 extension is necessary because of her obligations in other cases, administrative matters at the
office of the Nevada Attorney General, illness, and preplanned time away from her office. The
petitioner does not oppose the motion. Respondents' motion for extension of time is made in

1 good faith and not solely for the purpose of delay, and there is good cause for the extension of
2 time.

3 I THEREFORE ORDER that Respondents' Motion for Enlargement of Time (ECF
4 No. 139) is GRANTED. Respondents will have until and including January 13, 2022, to file
5 their answer. In all other respects, the schedule for further proceedings set forth in the order
6 entered November 26, 2018 (ECF No. 85) will remain in effect.

7 Dated: November 30, 2021

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10 ANDREW P. GORDON
11 UNITED STATES DISTRICT JUDGE
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