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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 RANDOLPH L. MOORE,

5 Petitioner,

6 v.

7 WILLIAM GITTERE, *et al.*,

8 Respondents.
9

Case No. 2:13-cv-0655-JCM-DJA

ORDER GRANTING MOTION
FOR EXTENSION OF TIME
(ECF NO. 173)

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11 In this capital habeas corpus action, on May 19, 2023, the petitioner, Randolph L.
12 Moore, who is represented by appointed counsel, filed his reply to Respondents' answer
13 (ECF No. 166), along with a motion for leave to conduct discovery (ECF No. 168) and a
14 motion for evidentiary hearing (ECF No 170). After a 30-day initial period (ECF No. 51)
15 a 45-day extension of time (ECF No. 172), and a 60-day extension of time (ECF No.
16 174), Respondents had until October 3, 2023, to file a response to Moore's reply and
17 responses to his motions for leave to conduct discovery and for evidentiary hearing.

18 On September 27, 2023, Respondents filed a motion for extension of time (ECF
19 No. 175), requesting a further 21-day extension of time, to October 24, 2023, for their
20 response to Moore's reply and responses to Moore's motions. Respondents' counsel
21 states that he needs this extension of time because of his obligations in other cases.
22 Respondents' counsel represents that Moore does not oppose the motion for extension
23 of time.

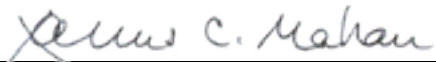
24 The Court finds that Respondents' motion for extension of time is made in good
25 faith and not solely for the purpose of delay, and that there is good cause for the
26 requested extension of time. The Court will grant the extension of time.

27 Respondents' motion is ambiguous with respect to whether they request an
28 extension of time for just their response to Moore's reply or for both that response to

1 Moore's reply and their responses to Moore's motions. See Motion for Extension of
2 Time (ECF No. 175), p. 1, lines 17–21; p. 2, lines 17–21; p. 3, lines 12–13; p. 4,
3 lines 1–2. To be clear, by this order, the Court extends the time for Respondents'
4 response to Moore's reply *and* their responses to Moore's motions. Moore's replies in
5 support of his motions will be due 20 days *after Respondents file their response to his*
6 *reply*.

7 **IT IS THEREFORE ORDERED** that Respondents' Motion for Extension
8 of Time (ECF No. 175) is **GRANTED**. Respondents will have until and including
9 **October 24, 2023**, to file a response to Petitioner's reply, and responses to Petitioner's
10 motions for leave to conduct discovery and for an evidentiary hearing. Petitioner's
11 replies in support of his motion for leave to conduct discovery and motion for evidentiary
12 hearing will be due 20 days after Respondents file their response to Petitioner's reply.

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14 DATED September 29, 2023.

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JAMES C. MAHAN
18 UNITED STATES DISTRICT JUDGE
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