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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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8 DEBARON SANDERS,

9 Petitioner,

2:14-cv-01966-JCM-NJK

10 vs.

ORDER11 BRIAN WILLIAMS, SR., *et al.*,

12 Respondents.

13 _____ /

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15 In this habeas corpus action, after two extensions of time, the first for 90 days and the
16 second for 45 days, the petitioner, Debaron Sanders, was due to file an amended habeas petition by
17 February 24, 2017. *See* Order entered July 14, 2016 (ECF No. 31); Order entered October 14, 2016
18 (ECF No. 36); Order entered February 10, 2017 (ECF No. 37).

19 Sanders is represented by attorney William Gamage, who was appointed to represent
20 Sanders on July 14, 2016 (ECF No. 31), and who made an initial appearance on Sanders' behalf on
21 July 25, 2016 (ECF Nos. 32, 33). When, on February 10, 2017, the court, acting *sua sponte*, and "in
22 the interests of justice," granted the second extension of time, a month after the previously-set
23 deadline had passed, and extended the deadline to February 24, the court warned:

24 *If Gamage does not meet that deadline, the court intends to enter an order requiring*
25 *Gamage to show cause why he should not be subject to sanctions and/or removed*
 from his representation of the petitioner in this case.

26 Order entered February 10, 2017 (ECF No. 37), p. 1 (emphasis in original).

1 Gamage did not file an amended petition on Sanders' behalf by February 24. Instead, on
2 February 24, Gamage filed a motion for extension of time (ECF No. 38), requesting that the deadline
3 for the amended petition be extended by another seven days, to March 3, 2017. Gamage explained:

4 Counsel experienced some sort of technical issue with creating PDF versions of the
5 Amended Petition and accompanying documents. In an abundance of caution counsel
6 requests 7 days time to resolve the issue with computer software personnel or the
7 software manufacturer.

8 Motion for Extension of Time (ECF No. 38), p. 1. On February 27, 2017, respondents filed a notice
9 (ECF No. 39) stating that they do not oppose the motion for extension of time.

10 Gamage did not file the amended petition by March 3, the deadline that he proposed in his
11 motion for extension of time; nor did he file the amended petition in the two and a half weeks that
12 have passed since that date. Gamage has taken no further action in this case since he filed the
13 motion for extension of time on February 24.

14 The court cannot find, on the record in this case, that Gamage's motion for extension of time
15 was made in good faith, or that there is good cause for the extension of time he requested.

16 **IT IS THEREFORE ORDERED** that petitioner's Motion for Extension of Time
17 (ECF No. 38) is **DENIED**.

18 **IT IS FURTHER ORDERED** that the court will hold a status conference regarding this
19 case on **March 22, 2017, at 10:00 a.m.** Counsel for all parties shall appear for that conference.

20 Dated March 20, 2017.

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UNITED STATES DISTRICT JUDGE