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9
 10 UNITED STATES DISTRICT COURT
 11 DISTRICT OF NEVADA

12 James Davis,
 13 Petitioner,
 14 v.
 15 D.W. Neven, *et al.*,
 16 Respondents.

Case No. 2:15-cv-01574-RFB-NJK
**Unopposed Motion to Extend Time
 to File a Reply in Support of § 2254
 Petition**
(First Request)

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1 **POINTS AND AUTHORITIES**

2 Petitioner James Davis respectfully asks this Court to enter an Order
3 extending his deadline for filing a reply in support of his first amended § 2254
4 petition by 30 days until April 30, 2021.

5 This is Davis’s first request for an extension. Counsel exchanged emails with
6 the warden’s attorney, Senior Deputy Attorney General Allison Herr, on March 29,
7 2021, who does not oppose this request.

8 Neven filed his answer on March 1, 2021, following three extensions of his
9 deadline.¹

10 This extension is necessary to allow counsel time to prepare and file Davis’s
11 reply in support of his petition. It is not made for the purposes of delay.

12 Counsel’s work on this case has been slowed by the challenges of working
13 remotely during the pandemic, and counsel’s management responsibilities, which
14 include training a new attorney who started just over a month ago. In addition,
15 most recently, the majority of counsel’s time was diverted to a pardon’s board
16 matter. Counsel’s client is terminally ill and changes in his health in the last month
17 necessitated that counsel divert the majority of her time to his case. The Pardon’s
18 Board Hearing was March 22, 2021, and was continued unexpectedly until March
19 23, 2021. Counsel traveled to Reno on March 21, 2021, for the remote hearing to
20 coordinate witnesses, returning to Las Vegas late on March 23, 2021.

21 This extension will give counsel the time she needs to complete her work on
22 Davis’s Reply. Accordingly, Davis respectfully asks this Court to grant the
23 requested extension to April 30, 2021.

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27 ¹ ECF No. 105. *See* ECF Nos. 98–103.

1 Dated March 29, 2021.

2 Respectfully submitted,

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4 Rene L. Valladares
5 Federal Public Defender

6 /s/ Amelia L. Bizzaro

7 Amelia L. Bizzaro
8 Assistant Federal Public Defender

9 IT IS FURTHER ORDERED that [103] MOTION to Extend Time (Third Request) to
10 File Answer to [29] Amended Petition for Writ of Habeas Corpus is granted nunc pro tunc.

11 IT IS SO ORDERED:

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14 RICHARD F. BOULWARE, II
15 United States District Judge

16 DATED this 6th day of April, 2021.

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