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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELANIE OCHS,

Petitioner,

vs.

JERRY HOWELL, et al.,

Respondents.

Case No. 2:16-cv-00982-JCM-DJA

**STIPULATED EXTENSION OF TIME FOR
COMPLIANCE WITH JANUARY 17, 2023
ORDER (ECF NO. 66)**

(First Request)

On January 17, 2023, this Court entered its final judgment (ECF No. 67), granting in part Melanie Ochs's Amended Petition for Writ of Habeas Corpus (ECF No. 18), and enforcing the Ninth Circuit Court of Appeals decision to reverse Melanie Ochs state conviction for first-degree murder (ECF No. 62). This Court instructed:

Petitioner Melanie Ochs shall be released from all custody and/or other restraints, including parole or other supervision, unless the state, through the respondents, files a written election in this matter within 30 days of the date of this order of its intention to retry Ochs and thereafter commences jury selection in the retrial within 120 days following the election to retry Ochs, subject to reasonable requests for modification of the time periods.

ECF No. 66.

The expiration of the time to file a written election of the intent to retry Ochs will expire on February 16, 2023. However, good cause exists to extend the deadlines established by the Court.

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1 IT IS HEREBY STIPULATED AND AGREED that:

2 1. Undersigned counsel for Melanie Ochs has met in person on one occasion and has
3 additionally conferred via email with Clark County Chief Deputy District Attorney Dena Rinetti
4 regarding this case. The parties have made progress on agreeing to a just result in Ms. Ochs's state
5 proceedings; however, the parties have not been able to complete these conversations and additional time
6 is required in the interest of justice.

7 2. The parties agreed to ask that this Court extend the deadline to file the notice of the intent
8 to retry Melanie Ochs by thirty-two days, or until Monday, March 20, 2023; and that the deadline to
9 commence jury selection also continue for 120 days following the filing of the election to retry, so that
10 they may continue these discussions.

11 Dated this February 15, 2023

Dated this February 15, 2023

12 RENE L. VALLADARES
13 Federal Public Defender

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Attorney General

14
15 /s/ Amelia Bizzaro
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IT IS HEREBY ORDERED that the deadlines The parties agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by thirty-two days, or until Monday, March 20, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE