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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 MELANIE OCHS,

11 Petitioner,

12 vs.

13 JERRY HOWELL, et al.,

14 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)**

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

20 Petitioner Melanie Ochs shall be released from all custody and/or other  
21 restraints, including parole or other supervision, unless the state, through  
22 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  
23 jury selection in the retrial within 120 days following the election to retry  
Ochs, subject to reasonable requests for modification of the time periods.

24 ECF No. 66.

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

27 . . .

28 . . .

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

12 RENE L. VALLADARES  
13 Federal Public Defender

14  
15 /s/ Amelia Bizzaro  
16 Amelia L. Bizzaro  
17 Assistant Chief Federal Public Defender  
411 E. Bonneville Ave., Ste 250  
Las Vegas, NV 89101  
18 Attorney for Petitioner

Dated this February 15, 2023

AARON D. FORD  
Attorney General

19  
20 /s/ Allison Herr  
21 Allison L. Herr (NV Bar No. 5383)  
22 Senior Deputy Attorney General  
23 555 E. Washington Ave., Ste 3900  
24 Las Vegas, NV 89101  
25 Attorney for Respondent

**ORDER OF THE COURT**

The parties have submitted a stipulation requesting this Court to extend the deadlines in its January 17, 2023, order by thirty days. Based on this stipulation and for good cause shown:

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.

Dated February 17, 2023.

James C. Mahan  
JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE