**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

Lonnie Lee Banark,

Petitioner

v.

Warden Adams, et al.,

Respondents

**2:16-cv-01948-JAD-PAL**

**Order**

[ECF Nos. 8, 9, 10]

Petitioner Lonnie Lee Banark has submitted a *pro se* motion to file an amended petition for writ of habeas corpus.[1] Having reviewed Banark's proposed amended petition under Habeas Rule 4, I find that the proposed amendments are potentially meritorious and warrant service on respondents.

Banark has also filed a motion to "take notice of correct respondent."[2] However, Banark has already named the correct respondent, the warden of the institution in which he is incarcerated.[3] Accordingly, I deny Banark's motion as moot.

Banark has also submitted a "motion to help centralize exhibits,"[4] which I grant. Under Habeas Rule 5, respondents must submit copies of relevant state-court proceedings. However, if the parties need to refer to exhibits already filed by Banark with his original petition,[5] they may do so and cite to the attachments to the original petition. Banark need not re-file these exhibits, which appears to be his concern.

[1] ECF No. 9.

[2] ECF No. 8.

[3] Habeas Rule 2.

[4] ECF No. 10.

[5] *See* ECF No. 6 at 13–83.

**Conclusion**

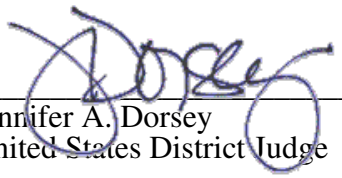
Accordingly, IT IS HEREBY ORDERED that **Banark's motion to file an amended petition [ECF No. 9] is GRANTED. The Clerk of Court is directed to FILE the amended petition, [ECF No. 9-1].**

**Respondents must respond to the amended petition by March 12, 2017. Banark will then have 45 days from service of the response to file a reply or opposition. All other briefing requirements in my November 1, 2016, scheduling order [ECF No. 5] remain in effect, except these amended deadlines.**

IT IS FURTHER ORDERED that Banark's motion to court **[ECF No. 8] is DENIED as moot.**

IT IS FURTHER ORDERED that Banark's motion to centralize exhibits **[ECF No. 10] is GRANTED as set forth in this order.**

Dated this 12th day of December, 2016.



Jennifer A. Dorsey
United States District Judge