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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL PATTERSON,
Petitioner,
vs.
JO GENTRY, et al.,
Respondents.

Case No. 2:17-cv-02131-JCM-GWF

ORDER

Before the court are two motions by petitioner. First, petitioner has filed a motion for leave to file a first amended petition (ECF No. 7). Respondents do not oppose this motion (ECF No. 11). The motion largely is moot because the court gave petitioner leave to file a first amended petition when the court appointed counsel to represent petitioner (ECF No. 5). Nonetheless, the court will grant the motion so that the first amended petition will be in the docket as such.

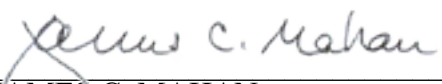
Second, petitioner has filed a motion requesting scheduling order permitting Patterson to file a second amended petition (ECF No. 8). Respondents do oppose this motion (ECF No. 12), and petitioner has filed a reply (ECF No. 13). The court notes respondents' objections, but to the extent that a second amended petition might contain grounds subject to procedural defenses, respondents may raise them in the appropriate motion. This action is at an early stage, respondents have not yet spent much time on the action, and the court sees no prejudice to respondents by granting petitioner's request.

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IT IS THEREFORE ORDERED that petitioner's motion for leave to file a first amended petition (ECF No. 7) is **GRANTED**. The clerk of the court shall file the first amended petition, which currently is at ECF No. 7-1.

IT IS FURTHER ORDERED that petitioner's motion requesting scheduling order permitting Patterson to file a second amended petition (ECF No. 8) is **GRANTED**. Petitioner will have ninety (90) days from the date of entry of this order to file and serve a second amended petition.

DATED: December 14, 2017.



JAMES C. MAHAN
United States District Judge