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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA  
4

5 RAUL GONZALES,

6 Petitioner,

7 v.

8 CALVIN JOHNSON, *et al.*,

9 Respondents.  
10

Case No. 2:21-cv-02055-GMN-DJA

**ORDER**

11  
12 On November 15, 2021, the Court received for filing from Raul Gonzales, who is  
13 incarcerated at High Desert State Prison, in Indian Springs, Nevada, a pro se petition  
14 for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 8), an application to  
15 proceed in forma pauperis (ECF No. 1) and a motion for appointment of counsel (ECF  
16 Nos. 9, 10). On November 17, 2021, the Court denied the in forma pauperis application  
17 as moot because Gonzales paid the filing fee, screened the habeas petition and  
18 ordered it served on the respondents, and granted Gonzales' motion for appointment of  
19 counsel and appointed as his counsel the Federal Public Defender for the District of  
20 Nevada. See Order entered November 17, 2021 (ECF No. 7). Appointed counsel  
21 appeared for Gonzales on November 18, 2021 (ECF No. 13). Respondents have not  
22 yet appeared; they have until December 17, 2021, to do so. See Order entered  
23 November 17, 2021 (ECF No. 7) (30 days for appearance).

24 On November 17, 2021, Gonzales, now with counsel, filed a motion for leave to  
25 file a first amended petition, with the proposed first amended petition and supporting  
26 exhibits attached (ECF Nos. 14, 14-1, 14-2 through 14-19). On that same date,  
27 Gonzales also filed a motion requesting that the Court enter a scheduling order, and  
28

1 that the scheduling order provide time for him to file a second amended habeas petition  
2 (ECF No. 15).

3 Good cause appearing, the Court will grant both of Gonzales' motions. The Court  
4 will order the first amended petition and supporting exhibits filed. The Court will issue a  
5 scheduling order, which will, among other provisions, provide for the filing of a second  
6 amended petition, after Respondents appear.

7 Nothing in this order is meant to suggest the Court's opinion regarding the date  
8 of expiration of any applicable statute of limitations, and nothing in this order is meant to  
9 extend or toll any applicable limitations period.

10 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Leave to File First  
11 Amended Protective Petition (ECF No. 14) is **GRANTED**. The Clerk of the Court is  
12 directed to separately file Petitioner's First Amended Petition for Writ of Habeas Corpus  
13 (ECF No. 14-1) and Petitioner's Exhibits (ECF No. 14-2 through 14-19).

14 **IT IS FURTHER ORDERED** that Petitioner's Motion for Scheduling Order (ECF  
15 No. 15) is **GRANTED**. The Court will issue a scheduling order, which will, among other  
16 provisions, provide for the filing of a second amended petition, after Respondents  
17 appear.

18  
19 DATED THIS 19 day of November, 2021.

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23 GLORIA M. NAVARRO,  
24 UNITED STATES DISTRICT JUDGE  
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