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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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PAUL L. BROWNING,

Case No. 3:05-cv-00087-RCJ-WGC

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Petitioner,

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v.

**Order Granting Motion for Order
Shortening Time (ECF No. 231)**

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WILLIAM GITTERE, *et al.*,

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Respondents.

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In this capital habeas corpus action, on July 25, 2018, this Court granted the petitioner, Paul L. Browning, habeas corpus relief in accordance with the order of the Ninth Circuit Court of Appeals (ECF Nos. 225, 226). The Court ordered that “Petitioner shall be released from custody ... unless, within sixty (60) days of the date of this order, the respondents file in this action a written notice of election to retry petitioner on these charges, and within one hundred eighty (180) days of the date of this order the State of Nevada commences jury selection in that retrial.” Order entered July 25, 2018 (ECF No. 225), p. 2. After an extension of time, stipulated to by the parties and approved by the Court, the retrial is to commence no later than March 22, 2019. See Order entered January 14, 2019 (ECF No. 229).

On March 13, 2019, the respondents filed a Motion for Relief from Judgment (ECF No. 230), requesting that the time for the retrial to commence be further extended. In that motion, Respondents notify this Court that the state district court has indicated that it will grant a motion to dismiss the further state-court proceeding, either ruling out or delaying Browning’s retrial, and Respondents therefore ask that the time for a retrial to commence under the judgment in this action be extended to 180 days after the resolution of an appeal from the state district court’s order.

