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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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9 JOHN INGEBRETSEN,

10 Plaintiff,

11 vs.

12 JACK PALMER, et al.,

13 Defendants.

Case No. 3:07-CV-00251-LRH-(RAM)

ORDER

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Before the Court are Petitioner's Motion to Amend First Amended Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (#37), Respondents' Opposition (#38), and Petitioner's Reply (#41). After reviewing the documents, the Court determines that leave to amend is warranted, and the Court grants the motion.

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IT IS THEREFORE ORDERED that Petitioner's Motion to Amend First Amended Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (#37) is **GRANTED**. Petitioner shall file and serve the Second Amended Petition within ten (10) days from the date of entry of this Order.

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IT IS FURTHER ORDERED that Respondents shall have forty-five (45) days from the date of service of the Second Amended Petition to answer, or otherwise plead to, the Second Amended Petition. If Respondents file and serve an answer, then they shall comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, and then Petitioner shall have forty-five (45) days from the date on which the answer is served to file a reply.

DATED this 16th day of March, 2009.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE