

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AVRAM VINETO NIKA,

Petitioner,

3:09-cv-00178-JCM-WGC

vs.

ORDER

RENEE BAKER, *et al.*,
Respondents.

_____ /

In this capital habeas corpus action, the petitioner, Avram Vineto Nika, filed a second amended petition for writ of habeas corpus on August 3, 2015 (ECF No. 73). Respondents then filed a motion to dismiss on May 12, 2016 (ECF No. 95). Nika is due to respond to the motion to dismiss by July 14, 2016. *See* Order entered June 18, 2015 (ECF No. 68).

On July 11, 2016, Nika filed a motion for extension of time (ECF No. 126), requesting an extension of time, to September 9, 2016, for his response to the motion to dismiss, along with any motion for leave to conduct discovery or motion for evidentiary hearing -- a 57-day extension. Nika's counsel states that the extension of time is necessary because of her other obligations. This would be the first extension of this deadline. Respondents do not oppose the extension of time. The court finds that the motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested. The court will grant the extension of time.

1 Nika also filed a motion (ECF No. 127), requesting a waiver, for purposes of this case, for all
2 parties, of Local Rules IA 10-3(e) (cover sheets for exhibits must include descriptors of exhibits), 7-
3 3(b) (page limits), and 7-3(c) (motions for leave to exceed page limits). The court finds that there is
4 good cause for waiver of those rules for purposes of this capital habeas corpus action.

5 **IT IS THEREFORE ORDERED** that petitioner's motion for extension of time
6 (ECF No. 126) is **GRANTED**. Petitioner shall have until and including **September 9, 2016**, to
7 respond to respondents' motion to dismiss.

8 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
9 proceedings set forth in the order entered June 18, 2015 (ECF No. 68) shall remain in effect.

10 **IT IS FURTHER ORDERED** that petitioner's Motion to Partially Waiver Local Rules IA
11 10-3(e), 7-3(b), 7-3(c) (ECF No. 127) is **GRANTED**. Local Rules IA 10-3(e) (descriptors of
12 exhibits on cover sheets), 7-3(b) (page limits), and 7-3(c) (motions for leave to exceed page limits)
13 are waived in this action, for all parties.

14
15 Dated July 28, 2016.

16
17 
18 _____
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26