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8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

11 Michael J. Mulder,

12 Petitioner

13 v.

14 William Gittere, Warden, Ely State
 Prison, et al.

15 Respondents

Case No. 3:09-cv-00610-CDS-CSD

STIPULATION AND ORDER

DEATH PENALTY CASE

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STIPULATION

Petitioner Michael Mulder, through counsel Heather Fraley, Assistant Federal Public Defender, and Respondent William Gittere, et al, through counsel Heather Procter, Chief Deputy Attorney General, hereby stipulate as follows:

- On June 6, 2023, counsel for Mr. Mulder filed a Motion for Appointment of Counsel in a 42 U.S.C. § 1983 Proceeding and for Appointment as Guardian Ad Litem. The motion references numerous exhibits. The exhibits that were supposed to be filed with the motion were inadvertently not filed.
- Counsel for Mr. Mulder did not realize the error until June 20, 2023 when counsel for the State filed their Opposition to Mr. Mulder’s motion.
- Concurrently with the instant stipulation, counsel for Mr. Mulder are filing a Notice of Corrected Document that attaches the missing exhibits and corrects the numbering for those exhibits.
- In the interest of fairness and professionalism, counsel for Mr. Mulder agree that the State should have the opportunity to file a revised opposition to the motion for appointment of counsel.
- Accordingly, the parties hereby stipulate and agree that Respondents should have until July 18, 2023 to file a Revised Opposition to Motion for Appointment of Counsel. The parties further agree that Mr. Mulder should

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have two weeks from the date Respondents file their Revised Opposition to file a Reply.

DATED this 20th day of June 2023

RENE L. VALLADARES
Federal Public Defender

AARON FORD
Nevada Attorney General

/s/ Heather Fraley
HEATHER FRALEY
Assistant Federal Public Defender

/s/ Heather Procter
HEATHER PROCTER
Chief Deputy Attorney General

IT IS SO ORDERED.



U.S. District Judge Cristina D. Silva

DATED June 21, 2023