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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LANCE DEON HAWES,
Petitioner,
vs.
JACK PALMER, et al.,
Respondents.

Case No. 3:10-cv-00655-RCJ-VPC
ORDER

The court of appeals has remanded the action to this court. Assuming that counsel for petitioner would wish to use a petition of his own drafting, the court will give petitioner the opportunity to file a second amended petition.

IT IS THEREFORE ORDERED that petitioner will have thirty (30) days to file a second amended petition for a writ of habeas corpus or to file a notice that he does not wish to file a second amended petition.

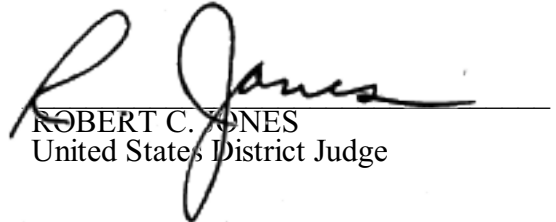
IT IS FURTHER ORDERED that neither the foregoing deadline nor any extension thereof signifies or will signify any implied finding of a basis for tolling during the time period established. Petitioner at all times remains responsible for calculating the running of the federal limitation period under 28 U.S.C. § 2244(d)(1) and timely asserting claims.

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IT IS FURTHER ORDERED that the hard copy of any additional state court record exhibits shall be forwarded—for this case—to the staff attorneys in Las Vegas.

DATED: This 27th day of January, 2016.


ROBERT C. JONES
United States District Judge