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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

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5 ROBERT ROYCE BYFORD,

6 Petitioner,

7 v.

8 WILLIAM GITTERE, *et al.*,

9 Respondents.

Case No. 3:11-cv-00112-JCM-WGC

**ORDER GRANTING  
MOTION FOR EXTENSION OF TIME  
(ECF NO. 115)**

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12 In this capital habeas corpus action, the petitioner, Robert Royce Byford,  
13 represented by appointed counsel, filed a third amended petition for writ of habeas  
14 corpus on January 30, 2020 (ECF No. 92). Respondents filed a motion to dismiss the  
15 third amended petition on September 25, 2020 (ECF No. 107). After a 62-day extension  
16 of time and then a 25-day extension of time, Byford was due to respond to the motion to  
17 dismiss by February 19, 2021. See Order entered October 24, 2019 (ECF No. 88);  
18 Order entered December 11, 2020 (ECF No. 112); Order entered January 27, 2021  
19 (ECF No. 114).


20 On February 19, 2021, Byford filed a motion for extension of time (ECF No. 115),  
21 requesting a further 5-day extension of time, to February 24, 2021. Then, on February  
22 24, 2021, Byford filed his response to the motion to dismiss (ECF No. 116), along with a  
23 motion for leave to conduct discovery (ECF No. 117) and a motion for evidentiary  
24 hearing (ECF No. 119). Byford's counsel states that the extension of time was  
25 necessary because of his obligations in other cases. Respondents do not oppose the  
26 motion for extension of time.

1 The Court finds that Byford's motion for extension of time is made in good faith  
2 and not solely for the purpose of delay, and that there is good cause for the extension of  
3 time requested.

4 **IT IS THEREFORE ORDERED** that Petitioner's motion for extension of time  
5 (ECF No. 115) is **GRANTED**. Petitioner response to the motion to dismiss, as well as  
6 his motion for leave to conduct discovery (ECF No. 117) and motion for evidentiary  
7 hearing (ECF No. 119), will be considered timely filed.

8 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further  
9 proceedings set forth in the order entered October 24, 2019 (ECF No. 88) will remain in  
10 effect.

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12 DATED March 1, 2021.

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16 JAMES C. MAHAN,  
17 UNITED STATES DISTRICT JUDGE  
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