

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 * * *

5 ROBERT ROYCE BYFORD,

6 Petitioner,

7 v.

8 WILLIAM REUBART, *et al.*,

9 Respondents.

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

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 142)**

10
11
12 In this capital habeas corpus action, after a 180-day initial period, and then a
13 90-day extension of time, Respondents had until May 24, 2022, to file an answer,
14 responding to the remaining claims in Petitioner Robert Royce Byford's third amended
15 habeas petition. See Order entered August 27, 2021 (ECF No. 135) (180 days for
16 answer); Order entered March 1, 2022 (ECF No. 140) (90-day extension).

17 On May 24, 2022, Respondents filed a motion for extension of time (ECF No.
18 142), requesting a further 45-day extension of time, to July 8, 2022. Respondents'
19 counsel states that the extension of time is necessary because of her obligations in
20 other cases, the loss of her co-counsel on the case, her administrative responsibilities,
21 and time away from her work. Petitioner does not oppose the motion for extension of
22 time.

23 The Court finds that Respondents' motion for extension of time is made in good
24 faith and not solely for the purpose of delay, and that there is good cause for the
25 extension of time requested.

26 ///

27 ///


28 ///

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
27
28

IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time (ECF No. 142) is **GRANTED**. Respondents will have until and including July 8, 2022, to file their answer. Petitioner will then have 180 days to file his reply. In all other respects, the schedule for further proceedings set forth in the order entered October 24, 2019 (ECF No. 88) will remain in effect.

IT IS FURTHER ORDERED that, pursuant to Federal Rule of Civil Procedure 25(d), William Reubart is substituted for William Gittere as the respondent warden. The Clerk of the Court is directed to update the docket to reflect this change.

DATED THIS 27th day of May, 2022.



JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE