

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**

ROBERT ROYCE BYFORD,

Petitioner,

3:11-cv-00112-ECR-WGC

vs.

ORDER

RENEE BAKER, *et al.*,

Respondents.

_____ /

On May 18, 2012, petitioner filed a motion for leave to file a second amended petition. ECF No. 27. Respondents filed a response indicating that they did not object to the filing of the pleading, with the one condition that petitioner provide a statement of exhaustion as required by LSR 3-1 and Rule 2 of the Rules Governing Section 2254 Cases in the Federal District Courts. ECF No. 38.

Petitioner has filed a second amended petition that contains a statement of exhaustion with respect to the claims contained therein. ECF No. 46.

IT IS THEREFORE ORDERED that petitioner’s motion for leave to file a second amended petition (ECF No. 27) is GRANTED *nunc pro tunc* as of September 4, 2012.

\\\
\\\
\\

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

IT IS FURTHER ORDERED that respondents shall file their response to petitioner's motion for stay and abeyance (ECF No. 31) within **thirty-five (35) days** of the date this order is entered.

DATED: September 26, 2012.

Handwritten signature of Edward C. Reed in black ink.

UNITED STATES DISTRICT JUDGE