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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

WILLIAM RONALD CLARK,

Petitioner,

v.

RENEE BAKER, et al.,

Respondents.

Case No. 3:12-cv-00579-MMD-VPC

ORDER

In this action on a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, respondents seek an enlargement of time to file their response to the petition (dkt. no. 18). Respondents request an additional thirty (30) days' time, until May 15, 2013. Good cause appearing, that motion is granted.


Petitioner has filed a motion that the petition be granted (dkt no. 13), arguing for a new trial in light of respondents' alleged failure to timely respond to the petition, and a motion for oral argument (dkt no. 14), requesting the Court to permit him to address his claims orally. Respondents have sought and been granted additional time to respond to the petition. See dkt nos. 10 and 12. Thus, the response is not untimely. Petitioner's request for oral argument is premature. Evidentiary hearings and oral argument are not generally allowed in habeas proceedings unless specific circumstances exist. See 28 U.S.C. § 2254(e). If there arises an issue or circumstance in the proceedings which require the Court to address and hear from the parties directly and in person, a hearing will be set and petitioner will be given an opportunity to address the Court.

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IT IS THEREFORE ORDERED that the motion for time (dkt. no. 18) is GRANTED. The response to the petition shall be filed no later than May 15, 2013.

IT IS FURTHER ORDERED that petitioner's motions (dkt. nos. 13 and 14) are DENIED.

DATED THIS 22nd day of May 2013.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE