

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CARL HENRY OLSEN, III,

Case No. 3:15-cv-00367-MMD-WGC

Petitioner,

ORDER

v.

ROBERT LeGRAND, *et al.*,

Respondents.

This habeas matter under 28 U.S.C. § 2254 comes before the Court on petitioner's third motion for an enlargement of time (ECF No. 25).

Petitioner Carl Olsen challenges his 1990 Nevada state conviction, pursuant to a jury verdict, of eight counts of sexual assault on a minor under the age of fourteen. He is serving eight consecutive sentences of life with the possibility of parole after a minimum of ten years served on each sentence.

This matter was reversed and remanded following an incorrect dismissal of the petition as a successive petition. On remand, the Court directed petitioner to file an amended petition within thirty days on July 20, 2017. The Court thereafter has extended the time for petitioner to respond twice, with the amended petition currently being due on November 17, 2017. Petitioner now seeks a sixty-day extension to January 16, 2018.

The Court will grant petitioner this one last extension out of an abundance of caution. With the current requested extension, petitioner will have had nearly six months to file an amended petition. That is beyond, well beyond, ample time for a litigant, including a *pro se* litigant, to prepare and file an amended petition.

1 Petitioner refers to meetings with other inmates concerning the pleading and
2 limitations on law library access. The original petition referenced prior claims purportedly
3 contained in other documents. Petitioner does not necessarily need to consult with
4 multiple inmates and conduct extensive legal research in order to prepare a pleading
5 presenting claims purportedly contained in prior documents. In all events, the nearly six
6 months allowed to do so by the extensions herein will be more than ample time. A
7 request for further extension of time will be considered based upon only the most
8 compelling of circumstances, and the circumstances presented on the present motion
9 do not constitute such circumstances.

10 It therefore is ordered that petitioner's motion for an enlargement of time (ECF
11 No. 25) is granted. Petitioner will have until January 16, 2018, within which to mail an
12 amended petition to the Clerk for filing.

13 If an amended petition is not timely mailed for filing, this action will be dismissed
14 without further advance notice for failure to state a claim upon which relief may be
15 granted and for failure to comply with the orders of the Court.

16 DATED THIS 7th day of November 2017.

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19 MIRANDA M. DU
20 UNITED STATES DISTRICT JUDGE
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