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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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8 MICHAEL DWAYNE BYARS,

9 Petitioner,

3:15-cv-00388-RCJ-VPC

10 vs.

ORDER11 BRYAN WILLIAMS, SR., *et al.*,

12 Respondents.

13 _____/

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15 In this habeas corpus action, brought *pro se* by Michael Dwayne Byars, the respondents filed
16 a motion to dismiss on May 17, 2017 (ECF No. 27), seeking dismissal of Ground 1 of Byars' habeas
17 petition. Byars was originally due to respond to the motion to dismiss by July 17, 2017. *See* Order
18 entered February 16, 2017 (ECF No. 24) (60 days for response to motion to dismiss). Byars did not
19 file a response to the motion to dismiss by July 17, 2017.

20 In light of the fact that Byars brings this action *pro se*, and noting that he filed a notice of
21 change of address on June 12, 2017 (ECF No. 34), the Court, *sua sponte*, granted Byars an extension
22 of time to August 31, 2017, to respond to the motion to dismiss. Byars still did not respond to the
23 motion.

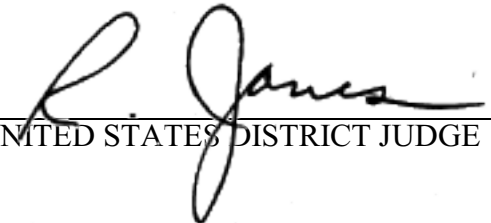
24 On October 12, 2017, respondents filed an Amended Certificate of Service (ECF No. 37),
25 reflecting that on that day the respondents re-served Byars with the motion to dismiss, at his new
26 address.

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Under these circumstances, the Court will grant Byars another 30 days to respond to the motion to dismiss. The Court will not be inclined to further extend this deadline.

IT IS THEREFORE ORDERED that petitioner will have **30 days** from the date of entry of this order to respond to the motion to dismiss. In all other respects, the schedule for further proceedings set forth in the order entered February 16, 2017 (ECF No. 24) shall remain in effect.

Dated this 13th day of October, 2017.


UNITED STATES DISTRICT JUDGE