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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMES MATLEAN,

v.
BRIAN WILLIAMS, et al.,

Respondents.

Case No. 3:16-cv-00233-HDM-VPC

ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. On April 5, 2017, this court granted petitioner’s motion for counsel and appointed the Federal Public Defender to represent petitioner in this action (ECF No. 12). On May 5, 2017, Jeremy Charles Baron of the Federal Public Defender’s Office appeared on behalf of petitioner (ECF No. 14). The court now sets a schedule for further proceedings in this action.

IT IS THEREFORE ORDERED that counsel for petitioner shall meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner’s case; and (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely result in any omitted grounds being barred from future review.

IT IS FURTHER ORDERED that petitioner shall have **ninety (90) days** from the date of this order to FILE AND SERVE on respondents an amended petition for writ of

1 habeas corpus, which shall include all known grounds for relief (both exhausted and
2 unexhausted).

3 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45) days**
4 after service of an amended petition within which to answer, or otherwise respond to,
5 the amended petition. If petitioner does not file an amended petition, respondents shall
6 have forty-five (45) days from the date on which the amended petition is due within
7 which to answer, or otherwise respond to, petitioner's original petition.

8 **IT IS FURTHER ORDERED** that, if and when respondents file an answer or
9 other responsive pleading, petitioner shall have **thirty (30) days** after service of the
10 answer or responsive pleading to file and serve his response.

11 **IT IS FURTHER ORDERED** that any state court record exhibits filed by the
12 parties herein shall be filed with an index of exhibits identifying the exhibits by number
13 or letter. The CM/ECF attachments that are filed shall further be identified by the
14 number or numbers (or letter or letters) of the exhibits in the attachment.

15 **IT IS FURTHER ORDERED** that the parties **SHALL SEND** courtesy copies of all
16 exhibits to the Reno Division of this court. Courtesy copies shall be mailed to the Clerk
17 of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff
18 Attorney" on the outside of the mailing address label. Additionally, in the future, all
19 parties shall provide courtesy copies of any additional exhibits submitted to the court in
20 this case, in the manner described above.

21 **IT IS FURTHER ORDERED** that respondents' motion for extension of time to file
22 a responsive pleading (ECF No. 11) is **DENIED** as moot.

23
24 DATED: May 25, 2017.

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26 _____
27 HOWARD D. MCKIBBEN
28 UNITED STATES DISTRICT JUDGE