

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARCO GUZMAN,

Case No. 3:17-cv-00515-HDM-CBC

Petitioner,

v.

ATTORNEY GENERAL, *et al.*,

Respondents.

ORDER

12 In this habeas corpus action, the respondents filed a motion to dismiss on
13 August 14, 2018 (ECF No. 28). The petitioner, Marco Guzman, represented by counsel,
14 filed an opposition to the motion to dismiss (ECF No. 32), along with a motion for leave
15 to conduct discovery (ECF No. 33), on November 29, 2018. Respondents were then to
16 file a reply in support of their motion to dismiss, and a response to the motion for leave
17 to conduct discovery, by December 31, 2018. See Order entered October 2, 2017 (ECF
18 No. 8) (30 days for reply in support of motion to dismiss; response to motion for leave to
19 conduct discovery due at same time; December 29 is a Saturday).

20 On December 6, 2018, apparently believing, inaccurately, that the reply to the
21 motion to dismiss was due on that date, the respondents filed a motion for an
22 extension of time (ECF No. 35), requesting an extension of time to January 20, 2019.
23 January 20, 2019, is a Sunday, and Monday, January 21, 2019, is a holiday, so the
24 extension requested by respondents would actually be to January 22, 2019.
25 Respondents describe the requested extension of time as a 46-day extension; in fact, it
26 would be a 22-day extension – from December 31, 2018, to January 22, 2019.

1 Respondents' counsel states that the extension of time is necessary because of
2 her obligations in other cases, and because of time away from her office. The petitioner
3 does not oppose the motion for extension of time.

4 The Court finds that Respondents' motion for extension of time is made in good
5 faith and not solely for the purpose of delay, and that there is good cause for the
6 requested extension of time. The Court will grant the requested extension of time.

7 The Court *will not be inclined to further extend this deadline*. And, furthermore,
8 the Court will not look favorably upon any motion by the petitioner to extend the time to
9 file his reply in support of his motion for leave to conduct discovery (Petitioner will have
10 20 days to file that reply. See Order entered October 2, 2017 (ECF No. 8).).

11 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of
12 Time (ECF No. 35) is **GRANTED**. The respondents will have until **January 22, 2019**, to
13 file their reply in support of their motion to dismiss and their response to the petitioner's
14 motion for leave to conduct discovery.

15 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
16 proceedings set forth in the order entered October 2, 2017 (ECF No. 8) will remain in
17 effect.

19 DATED THIS 6th day of December, 2018.

Howard D. McKibben

HOWARD D. MCKIBBEN,
UNITED STATES DISTRICT JUDGE