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28UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANDRE DOW,

Petitioner,

v.

STATE OF NEVADA,

Respondents.

Case No. 3:23-cv-00529-ART-CLB

ORDER

Petitioner Andre Dow moves for leave to file his first amended petition for writ of habeas corpus (ECF No. 14). Dow tentatively calculated the federal statute of limitations under 28 U.S.C. § 2244(d) and he requests leave to file his first amended petition as a protective petition. In addition, because the Court previously set the deadline for Dow to file an amended petition for October 28, 2024, he requests that the Court preserve the October 28, 2024, deadline for filing a second amended petition. Dow, however, has not filed a second amended petition or renewed his request to file a second amended petition. Respondents do not oppose Dow's motion. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure and the Scheduling Order (ECF No. 9), the Court finds that leave to amend is appropriate.

In addition, Respondents move for an extension of time to file their response to Dow's first amended petition. (ECF No. 24.) The Court finds the request is made in good faith and not solely for the purpose of delay, and therefore good cause exists to grant the motion.

It is therefore ordered that Petitioner Andre Dow's unopposed motion for leave to file first amended petition (ECF No. 14) is granted.

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It is further ordered that Respondents' unopposed first motion for enlargement of time (ECF No. 24) is granted. Respondents have until December 27, 2024, to file his amended petition.

DATED THIS 22<sup>nd</sup> day of November 2024.



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ANNE R. TRAUM  
UNITED STATES DISTRICT JUDGE