

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARVIN G. JOHNSON,

Petitioner,

v.

DAVID BOBBY, Warden,

Respondent.

Case No. 2:08-cv-55

**JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Terence P. Kemp**

OPINION AND ORDER

Petitioner, a prisoner sentenced to death by the State of Ohio, has pending before this Court a habeas corpus action pursuant to 28 U.S.C. §2254. This matter is before the Court upon Petitioner's agreed motion for an extension of the discovery period up to and including March 1, 2011. (Doc. # 42.)

The Court's September 30, 2010 *Opinion and Order* granting some but not all of Petitioner's discovery requests allowed three months to complete the discovery. (Doc. # 36, at 28.) Petitioner seeks sixty additional days, explaining that in spite of counsel's efforts to comply, heavy workloads and other professional obligations prevented counsel from meeting the deadline. Petitioner requests up to and including March 1, 2011 to complete discovery and states that Respondent does not oppose the extension.

For good cause shown, because Respondent does not object, and because no undue delay or inconvenience to the Court will result, Petitioner's motion for an extension of time (Doc. # 42) is **GRANTED**. Petitioner **SHALL HAVE** up to and including March 1, 2011 to complete discovery.

/s/ Terence P. Kemp
United States Magistrate Judge