

01
02
03
04
05
06
07
08
09
10
11
12
13
14

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

| | | |
|----------------------|---|---------------------------|
| RICHARD ALLAN CASE, |) | |
| |) | CASE NO. C12-0187-MJP-MAT |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | ORDER GRANTING MOTION FOR |
| MAGGIE MILLER-STOUT, |) | EXTENSION OF TIME |
| |) | |
| Respondent. |) | |
| _____ |) | |

Petitioner Richard Allan Case proceeds *pro se* in this habeas corpus matter pursuant to 28 U.S.C. § 2254. Petitioner filed a Second Motion for Relief from Deadline, seeking an additional extension of time to submit his response to respondent’s Amended Answer. (Dkt. 38.) Respondent did not respond to the motion. Having considered the motion, along with the balance of the record, the Court does hereby find and ORDER as follows:

(1) Petitioner requests an approximately thirty-day extension of time, until November 30, 2012, to submit a response to respondent’s Amended Answer. (Dkt. 38.) The Court previously granted a brief of extension of time due to petitioner’s transfer to segregation

ORDER GRANTING SECOND
EXTENSION OF TIME
PAGE -1

01 and separation from his legal materials. (Dkt. 36.) Petitioner now notes that his legal
02 materials were not returned to him until October 22, 2012, shortly before his October 29, 2012
03 deadline. Considering the circumstances as described by petitioner, the Court finds the request
04 for a second extension of time reasonable and appropriate. Accordingly, petitioner's motion is
05 GRANTED and respondent's Amended Answer is hereby RENOTED for consideration on
06 **December 7, 2012**. Petitioner may file and serve a response to the Amended Answer no later
07 than **November 30, 2012**, and respondent may file a reply no later than **December 7, 2012**.

08 (2) The Clerk shall direct copies of this Order to the parties and to the Honorable
09 Marsha J. Pechman.

10 DATED this 16th day of November, 2012.

11 

12 Mary Alice Theiler
13 United States Magistrate Judge

14
15
16
17
18
19
20
21
22