

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

REYCEL PEREZ-MARTINEZ,

Petitioner,

V.

MARGARET GILBERT,

Respondent.

NO. C15-5950 BHS-KLS

ORDER LIFTING STAY,
GRANTING MOTION TO AMEND
AND SETTING BRIEFING
SCHEDULE

By Order dated March 28, 2016, this habeas proceeding was stayed pending resolution of petitioner's state court proceedings. Dkt. 17. On November 30, 2016, petitioner filed a motion asking the Court to lift the stay as his state court proceedings are resolved and for permission to amend his petition. Dkt. 22. Respondent has filed no papers in opposition.

Accordingly, it is **ORDERED**:

- (1) The stay of this matter is **LIFTED**.
- (2) Petitioner's motion to amend his petition (Dkt. 22) is **GRANTED**. The clerk shall docket the proposed amended petition attached to petitioner's motion as petitioner's Amended Petition.
- (3) Respondent will have until **February 10, 2017** to file an answer to the petition. Upon receipt of the answer, the Clerk will note the matter for consideration on the fourth Friday after the answer is filed. Petitioner may file and serve a traverse not later than the Monday immediately preceding the Friday appointed for consideration of the matter and respondent may file and

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1 serve a reply brief not later than the Friday designated for consideration of the
2 matter.

3 (4) The Clerk shall send a copy of this Order to the parties.

4 **DATED** this 3rd day of January, 2017.

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8 Karen L. Strombom
9 United States Magistrate Judge