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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff/Respondent, v. HUY CHI LUONG, Defendant/Movant.	CASE NO. 2:96-CR-00350-WBS-AC STIPULATION AND [~~PROPOSED~~] ORDER FOR EXTENSION OF TIME IN WHICH TO RESPOND TO DEFENDANT'S SECTION 2255 PETITION

Respondent United States of America, by and through its attorneys of record, McGregor W. Scott, United States Attorney, and Jason Hitt, Assistant United States Attorney, hereby respectfully requests a an additional 7-day extension of time until March 28, 2018, in which to file its answering brief to defendant's motion under 28 U.S.C. § 2255. The government's answer is currently due on March 21, 2018.

The requested time will permit me the time to complete existing obligations and prepare a responsive pleading to the pending § 2255 motion. I recently completed the criminal trial in *United States v. Phillips, et al.*, Case No. 2:15-cr-00081-JAM, on February 8, 2018. I also filed four opposition briefs in motions for sentence reductions under 18 U.S.C. § 3582. In addition, I drafted and filed the reply briefs in *United States v. Rodriguez* and *Sarabia*, C.A. Nos. 17-10233 and 17-10235 respectively. Most recently, I drafted a significant amount of an appeal brief in *Percy Love*, C.A. No. 16-10066. In addition, I have made substantial progress on the government's responsive pleading in this 2255 matter

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but a still additional amount of time will allow me to complete it.

Defense counsel does not oppose the Government's request. For these reasons, I respectfully request additional time to complete a responsive pleading to the defendant's § 2255 motion.

Dated: March 21, 2018

McGREGOR W. SCOTT
United States Attorney

/s/ *JASON HITT*
JASON HITT
Assistant United States Attorney

Dated: March 21, 2018

/s/ *ETAN ZAITSU by Jason Hitt*
ETAN ZAITSU
Attorney for Huy Chi Luong
Authorized to sign for Mr. Zaitsu

[~~PROPOSED~~] ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing therefrom, adopts the stipulation of the parties.

The Government's answering brief to defendant's motion pursuant to 28 U.S.C. § 2255 is now due March 28, 2018.

IT IS SO ORDERED.

Dated: March 22, 2018

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE