

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JEFFREY HAVARD

PETITIONER

vs.

CIVIL ACTION NO. 5:08cv275-KS

CHRISTOPHER EPPS, Commissioner,
Mississippi Department of Corrections, and
JIM HOOD, Attorney General of the State of Mississippi

RESPONDENTS

**PETITIONER'S MOTION FOR ADDITIONAL TIME TO FILE MEMORANDUM OF
AUTHORITIES IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner, Jeffrey Havard, by and through his undersigned counsel, hereby moves the Court to enter an order granting him an additional fourteen (14) days to file his memorandum of authorities in support of his Petition for Writ of Habeas Corpus. In support of this Motion, Petitioner would show unto the Court as follows:

1. Petitioner filed his Petition for Writ of Habeas Corpus (Docket # 10) on April 10, 2009. Respondents filed their Answer to the Petition (Docket # 11) on May 8, 2009, and Petitioner filed his reply (Docket # 17) on June 12, 2009.

2. Pursuant to this Court's order of May 13, 2009 (Docket # 14), Petitioner's memorandum of authorities in support of his Petition for Writ of Habeas Corpus is currently due on or before July 13, 2009.

3. Petitioner's counsel have been diligently researching and preparing the memorandum of authorities. However, Petitioner's lead counsel, Mark D. Jicka, has a trial setting on July 13, 2009, in the case styled *United States v. Rogers*, 3:08-CR-0171-WHB-JCS-2, before the Honorable William H. Barbour, in the United States District Court for the Southern

District of Mississippi, Jackson Division. Mr. Jicka is lead counsel for the defendant in that matter.

4. Mr. Jicka has devoted, and must continue to devote, considerable time to prepare for that upcoming trial, and cannot devote as much time as is needed to assist with preparation of the memorandum of authorities.

5. Accordingly, Petitioner requests that the Court enter an order granting him an additional fourteen (14) days within which to file the memorandum of authorities in support of his Petition for Writ of Habeas Corpus, which would be by July 27, 2009.

6. Petitioner states that this modest extension will not cause any undue delay in these proceedings, and will not prejudice the Respondents.

7. Counsel for Petitioner have conferred with counsel Respondents, who stated that they have no objection to the requested extension.

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that the Court enter an order granting him fourteen additional days, or until July 27, 2009, within which to file a memorandum of authorities in support of his Petition for Writ of Habeas Corpus.

Respectfully submitted,

JEFFREY HAVARD, PETITIONER

s/Graham P. Carner

Graham P. Carner

OF COUNSEL:

Mark D. Jicka (MSB No.: 8969) [**LEAD COUNSEL**]

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2009, I electronically filed the foregoing with the Clerk of the Court using the ECF System which sent notification of such filing to the following:

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