

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 REPLY TO  
RESPONDENTS' RESPONSE TO PETITIONER'S MERITS BRIEF**

Petitioner, Jeffrey Havard, by and through his undersigned counsel, hereby moves the Court to enter an order granting him an additional thirty (30) days to file his reply to the Respondents' Response (Docket # 28) to his brief on the merits. 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. After being granted two extensions totaling eighteen (18) days, Petitioner filed his merits brief (Docket # 22) on July 31, 2009. Petitioner's merits brief consists of 123 pages.
3. After being granted two extensions totaling forty-five (45) days, Respondents filed their Response to Petitioner's merits brief (Docket # 28) on November 13, 2009. Respondents' Response consists of 170 pages.
4. Presently, Petitioner's reply to the Response is due on or before December 14, 2009.

5. Due to the length of Respondents' Response brief, and the multitude of procedural and substantive matters raised therein, Petitioner's counsel will need additional time to review the Response, conduct legal research, draft the reply brief, and meet with Petitioner before filing the reply. Accordingly, Petitioner requests that the Court enter an order granting him an additional thirty (30) days within which to file the reply, which would be by January 13, 2010.

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

7. Counsel for Petitioner have conferred with counsel for the 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 thirty additional days, or until January 13, 2010, within which to file a reply to Respondents' Response to Petitioner's merits brief.

Respectfully submitted,

**JEFFREY HAVARD, PETITIONER**

*s/Graham P. Carner*

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Graham P. Carner

**OF COUNSEL:**

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

Graham P. Carner (MSB No.: 101523)

WATKINS & EAGER PLLC

P. O. Box 650

Jackson, MS 39205

Phone: 601/965-1900

Fax: 601/965-1901

[mjicka@watkinseager.com](mailto:mjicka@watkinseager.com)

[gcarner@watkinseager.com](mailto:gcarner@watkinseager.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on November 18, 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:

Jim Hood  
[agcivillit@ago.state.ms.us](mailto:agcivillit@ago.state.ms.us)

Patrick J. McNamara, Jr.  
[pmcna@ago.state.ms.us](mailto:pmcna@ago.state.ms.us)

Marvin L. White, Jr.  
[swhite@ago.state.ms.us](mailto:swhite@ago.state.ms.us)

*s/Graham P. Carner*  
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Graham P. Carner