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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**ANTHONY CIOFFI, #332-078,
Petitioner,**

v.

**DAVID BOBBY, Warden,
Respondent.**

Case No. 4:04 CV 1837

Judge Gwin
Magistrate Judge Limbert

(HABEAS CORPUS)

**RESPONDENT'S MOTION FOR AN EXTENSION OF TIME WITHIN WHICH TO
FILE ANSWER**

Respondent respectfully requests an extension of time within which to file a response to petitioner's Petition for Writ of Habeas Corpus. The respondent's return of writ is presently due on Monday, November 15, 2004, which is sixty (60) days after receipt of the court's show cause order. Pursuant to this Court's Order, respondent has requested documents from various state courts relating to the underlying criminal matter. However, these documents have yet to arrive and, in addition to a heavy caseload in this office, additional time is required to completely and accurately prepare an answer and return of writ. Respondent respectfully requests a thirty (30) day enlargement of time, through and including Wednesday, December 15, 2004, in which to show cause why the petition should not be granted. This is respondent's first request for an extension of time and is not interposed for delay.

Respectfully submitted,

JIM PETRO
Ohio Attorney General

s/ Gregory T. Hartke

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CERTIFICATE OF SERVICE

I hereby certify this motion was filed electronically with the Court and that a copy of the foregoing *Motion for Extension of Time* was sent to Petitioner's counsel, Jeffrey V. Goodman, Esq., 252 Seneca Avenue, Warren, OH 44481, by regular U.S. Mail, postage pre-paid, this 15th day of November, 2004.

s/ Gregory T. Hartke
GREGORY T. HARTKE (0024781)
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