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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 JONATHAN MONTANA,) Case No. 25-cv-09717-TLT
11 Petitioner,)
12 vs.)
13 UNITED STATES OF AMERICA,)
14 Respondent,)
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TO THE HONORABLE COURT:

Petitioner Jonathan Montana respectfully submits the following response to the Court's November 28, 2025, Order to Show Cause:

1. Petitioner acknowledges the Court's directive regarding proof of service. Petitioner's failure to timely file proof of service was the result of inadvertence, not bad faith. The attorney for the United States of America has now been properly served via certified mail pursuant to Fed. R. Civ. P. 4(i), Civil L.R. 5-5, and Habeas L.R. 2254.
2. Petitioner has now completed service of the Petition for Writ of Habeas Corpus and the Motion to Stay under *Rhines v. Weber* on:
 - The United States Attorney for the Northern District of California; and
 - The Attorney General of the United States.Proof of service is being filed concurrently with this Response.

3. Petitioner respectfully requests a two-week extension of all current deadlines. In light of the recent completion of service and to ensure that all parties have adequate time to review and respond to the filings. Specifically, Petitioner requests that the Court extend the following deadlines as follows:

- Responses to the Petition and related filings from November 26, 2025, to December 10, 2025; and
- Replies (if applicable) from December 3, 2025, to December 17, 2025.

This modest extension will not prejudice Respondent and is requested in good faith to ensure full compliance with the Court's orders and proper procedural efficiency.

Respectfully Submitted,

Dated: 12/03/2025

/s/ John D. Kirby
John D. Kirby, Esq.
Attorney for Petitioner
Jonathon Montana