

**FILED**

AUG 26 2004

LARRY W. PROPPS, CLERK  
CHARLESTON, SC

IN THE DISTRICT COURT OF THE UNITED STATES  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

**Jose Padilla** )  
 )  
 ) Petitioner )  
 )  
 )  
 )  
 ) vs. )  
 )  
 ) **Commander C.T. Hanft,** )  
 ) USN Commander, Consolidated Naval Brig )  
 )  
 ) Respondent )

C/A: 2:04-2221-26AJ

ENTERED  
8/26/04

**ORDER EXTENDING TIME**  
**TO ANSWER**

This matter is before the Court on motion of the Respondent for an Order extending the time for the Respondent to file an answer in this matter.

It appears that the Respondent's answer is currently due to be served by August 26, 2004. However, it will take the Respondent some additional time to finalize a declaration accompanying the answer, including in particular to determine the extent to which the declaration may be filed with this Court as an unclassified document. Respondent therefore requests an extension of two business days, to and including Monday August 30, 2004, within which to file the answer. In addition, it further appears that counsel for Petitioner has consented to this request.

**THEREFORE**, this Court finds that the Respondent's request is made for good cause shown and not for purposes of undue delay.

**IT IS THEREFORE ORDERED**, that the time for the Respondent to serve the answer in this matter is extended until Monday, August 30, 2004.

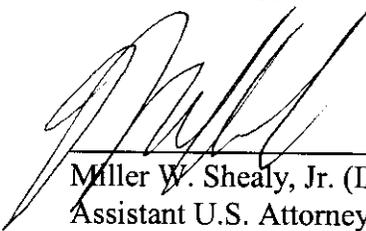
**IT IS SO ORDERED.**

  
ROBERT S. CARR  
UNITED STATES MAGISTRATE JUDGE

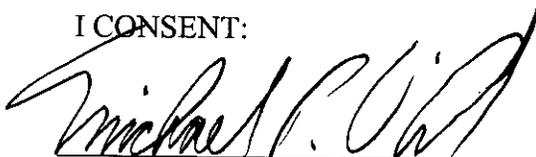
Charleston, South Carolina

August 26, 2004.

ON MOTION OF:

  
Miller W. Shealy, Jr. (ID# 3805)  
Assistant U.S. Attorney  
Charleston, South Carolina

I CONSENT:

  
Michael P. O'Connell  
Attorney for Petitioner  
Charleston, South Carolina