

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Lance Ian Osband v. Jason Schultz

Osband · No. 2:97-cv-0152 KJM CSK · Decided April 23, 2025

SUMMARY

The United States District Court for the Eastern District of California granted petitioner Lance Ian Osband's seventeenth motion for a sixty-day extension of time to file objections to findings and recommendations. The court also granted a request to seal a confidential declaration and directed the Clerk to substitute Acting Warden Jason Schultz as respondent.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 LANCE IAN OSBAND, No. 2:97-cv-0152 KJM CSK 12 Petitioner, 13 v.
DEATH PENALTY CASE 14 JASON SCHULTZ, ACTING WARDEN, ORDER 15
Respondent.1 16 17 On April 22, 2025, a remote status conference was held before this Court
regarding 18 petitioner's seventeenth and unopposed motion for a thirty-day extension of time to
file 19 objections to the findings and recommendations filed September 8, 2023.

(ECF Nos. 707, 757.) 20 Assistant Federal Defender Brian Abbington and attorney Tim Brosnan
appeared on behalf of 21 petitioner. Deputy Attorney General Erin Doering appeared on behalf of
respondent. At the time 22 petitioner filed the pending motion, petitioner did not anticipate filing
further requests for 23 extensions of time to file objections. (See ECF No. 757.)

For the reasons stated at the remote 24 hearing, including Mr. Brosnan's recent computer hacking
experience that occurred after the 25 1 The pending motion for extension of time indicates that
Jason Schultz is now Acting Warden at 26 California State Prison-Sacramento.

Accordingly, the Clerk of the Court is directed to substitute 27 Acting Warden Jason Schultz as
respondent for former California State Prison-Sacramento Warden Jeff Lynch. See *Brittingham v.*
United States, 982 F.2d 378, 379 (9th Cir. 1992) (stating 28 that the proper respondent in a federal
habeas petition is petitioner's immediate custodian). 1 | extension motion was filed, this Court
found good cause and granted petitioner a sixty-day 2 || extension of time to file objections.

Though it is not anticipated that any further extensions will 3 || be sought by petitioner, petitioner
shall notify the Court as soon as possible if counsel determines 4 | that additional time is needed. 5
Petitioner, through counsel, also applied for an order sealing a confidential declaration 6 ||
submitted to this Court in support of the motion for extension of time to file objections.

Good 7 || cause appearing, petitioner's request to seal the confidential declaration is granted. 8
Good cause appearing, IT IS HEREBY ORDERED that: 9 1. Petitioner's seventeenth motion for
an extension of time (ECF No. 757) is granted; 10 2. Petitioner's objections are due on or before
June 23, 2025; 11 3. Petitioner's request to seal the confidential declaration is granted; 12 4.

The Clerk of the Court shall file under seal the confidential declaration submitted by 13 ||
petitioner's counsel on April 10, 2025 in support of the seventeenth motion for an extension of 14
| time to file objections; and 15 5.

The Clerk of the Court is directed to substitute Acting Warden Jason Schultz as 16 || respondent.
17 18 || Dated: April 22, 2025 A aA 19 Aan Spe | CHI SOO KIM 20 UNITED STATES
MAGISTRATE JUDGE 21 22 || 0s152.c0t(17)/2 23 24 25 26 27 28