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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

George M. Lopez,)	No. CV-97-224-TUC-CKJ
)	
Petitioner,)	<u>DEATH PENALTY CASE</u>
)	
v.)	
)	ORDER
Dora B. Schriro, et al.,)	
)	
Respondents.)	
)	

This matter having been remanded by the Ninth Circuit Court of Appeals, *see Lopez v. Ryan*, No. 09-99028 (9th Cir. filed Apr. 26, 2012) (Doc. 142),

IT IS ORDERED setting the following briefing schedule:

1. No later than **July 30, 2012**, Petitioner shall file a supplemental brief addressing: (1) whether under *Martinez v. Ryan*, 132 S. Ct. 1309 (2011), Petitioner has cause and prejudice to excuse the procedural default of his ineffective-assistance-of-counsel claims (*see* Doc. 53); (2) the merits of Petitioner’s procedurally defaulted ineffective-assistance-of-counsel claims; and (3) whether *Martinez* applies to claims of ineffective assistance of counsel whose factual basis was not fully developed during the initial postconviction relief proceedings. The merits portion of the brief shall include a discussion of the applicable standards of review and shall also include any requests for evidentiary development, including identification of the evidence or facts sought to be developed and the applicable standards governing evidentiary development.

1 2. No later than **September 28, 2012**, Respondents shall file a response to
2 Petitioner's supplemental brief.

3 3. No later than **October 29, 2012**, Petitioner shall file a reply.

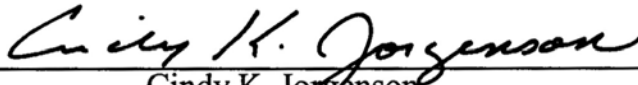
4 4. The Court's courtesy copy of any brief in excess of 50 pages shall be spiral
5 bound on the left and shall include a table of contents, an exhibits list (if any), and tabs
6 between exhibits (if any).

7 **IT IS FURTHER ORDERED** that the Clerk of Court shall reopen this case pursuant
8 to the April 25, 2012 order of the Ninth Circuit remanding this matter for further proceedings
9 (Doc. 142).

10 **IT IS FURTHER ORDERED** that the Clerk of Court shall substitute Charles L.
11 Ryan, Director of the Arizona Department of Corrections, as a Respondent in place of his
12 predecessor Dora B. Schriro, pursuant to Fed. R. Civ. P. 25(d)(1).

13 DATED this 1st day of May, 2012.

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Cindy K. Jorgenson
United States District Judge