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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**ERNEST DEWAYNE JONES,**  
**Petitioner,**  
  
**vs.**  
  
**KEVIN CHAPPELL, Warden of**  
**California State Prison at San Quentin,**  
**Respondent.**

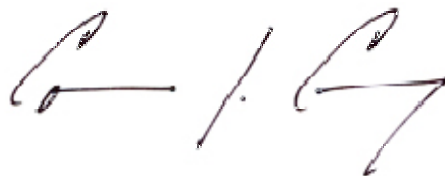
**Case No.: CV 09-02158-CJC**  
  
**ORDER AMENDING BRIEFING  
SCHEDULE AND SETTING  
HEARING ON CLAIM 27**

The Court is in receipt of the parties’ opening briefs regarding Claim 27 in Petitioner’s First Amended Petition for Writ of Habeas Corpus. Having reviewed Petitioner’s brief, as well as Respondent’s 8-page brief, the Court no longer believes that an extended briefing schedule on this matter is necessary. Accordingly, the briefing schedule on Claim 27 is hereby amended as follows:

1. The parties’ simultaneous responsive briefs shall be filed by July 3, 2014;
2. The parties’ simultaneous reply briefs shall be filed by July 18, 2014; and
3. The hearing on Claim 27 is scheduled for August 4, 2014 at 11 a.m.

1 Attached to this Order is a chart of the case status of 496 individuals sentenced to  
2 death in California between 1978 and 1997. The chart is a compilation of publicly  
3 available information from the court dockets of the four federal judicial districts in  
4 California, the public docket of the California Supreme Court, and the California  
5 Department of Corrections and Rehabilitation's ("CDCR") list of condemned inmates.<sup>1</sup>  
6 The chart strongly suggests that executing those essentially random few who outlive the  
7 dysfunctional post-conviction review process serves no penological purpose and is  
8 arbitrary in violation of well-established constitutional principles. The parties are  
9 encouraged to address the chart and the troubling issues it raises in their responsive  
10 briefs.

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13 DATED: June 11, 2014



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16 CORMAC J. CARNEY  
17 UNITED STATES DISTRICT JUDGE  
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25 <sup>1</sup> The CDCR's list is available at  
26 [http://www.cdcr.ca.gov/capital\\_punishment/docs/condemnedinmatelistsecure.pdf](http://www.cdcr.ca.gov/capital_punishment/docs/condemnedinmatelistsecure.pdf). A summary  
27 of the CDCR list is available at  
28 [http://www.cdcr.ca.gov/Capital\\_Punishment/docs/CondemnedInmateSummary.pdf](http://www.cdcr.ca.gov/Capital_Punishment/docs/CondemnedInmateSummary.pdf). Finally, the  
CDCR's list of Death Row inmates that have died on Death Row since 1978 is available at  
[http://www.cdcr.ca.gov/Capital\\_Punishment/docs/CONDEMNEDINMATESWHOHAVEDIED  
SINCE1978.pdf](http://www.cdcr.ca.gov/Capital_Punishment/docs/CONDEMNEDINMATESWHOHAVEDIEDSINCE1978.pdf).