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

RONALD L. SANDERS,  
Petitioner,  
v.  
RON BROOMFIELD, Warden of San  
Quentin State Prison,  
Respondent.

Case No. 1:92-cv-05471-JLT  
DEATH PENALTY CASE  
FURTHER SCHEDULING OF  
TENTATIVE ORDER

On November 7, 2022, the Court issued a tentative order regarding respondent’s notification filed on September 26, 2022, that information protected from disclosure pursuant to a 2007 Protective Order in this case had been released to representatives of the Kern County District Attorney’s Office. (See Doc. 417.)

Petitioner timely responded to the tentative order, but he did so without the benefit of a list of protected and unprotected documents released to district attorney representatives that was subsequently provided by respondent. (See Docs. 418-420.) Petitioner requested that respondent be ordered to provide an inventory of each and every document released to the district attorney representatives, including Protected Information. (See Doc. 419.) Petitioner further requested that the Court “postpone its decision regarding sanctions or other remedial orders, including an order precluding the People of the State of California from proceeding

1 with a retrial of the penalty phase[.]” pending his reasonable opportunity to review of such an  
2 inventory. (*Id.* at 4.)

3 Respondent timely replied to petitioner’s response. (*See* Doc. 420.) Respondent stated  
4 that petitioner had been served with and possessed a list of the released documents, including  
5 Protected Information. (*Id.*) Respondent requested that petitioner be directed to file any  
6 amended response to the tentative order within a reasonable time. (*Id.*) Respondent further  
7 requested that thereafter, the Tentative Order finding that sanctions are not warranted, be  
8 finalized. (*Id.* citing Doc. 416; *Lambright v. Ryan*, 698 F.3d 808, 826 (9th Cir. 2012) (finding  
9 sufficient a sanction that returned parties to the *status quo ante* following inadvertent violation  
10 of discovery protective order).)

11 The Court, having reviewed the parties’ filings, and the record, finds good cause to  
12 provide further scheduling of the tentative order.

13 Accordingly, within **fifteen (15) days** of the service date of this order, petitioner **may**  
14 file an amended response to the Court’s November 7, 2022 tentative order. Within **fifteen**  
15 **(15) days** of the filing of petitioner’s amended response, if any is filed, respondent’s counsel  
16 **may** file a reply thereto. If petitioner fails timely to file an amended response, then the  
17 Court’s tentative ruling shall become its final ruling on the matter. Any filing by the parties  
18 that discloses Protected Information shall be filed under seal.

19 The Clerk of the Court is directed to serve copies of this order upon counsel for  
20 petitioner, Nina Rivkind, and counsel for respondent, Supervising Deputy Attorney General  
21 Kenneth Sokoler and Assistant Attorney General Lewis Martinez.

22  
23 IT IS SO ORDERED.

24 Dated: November 28, 2022

  
UNITED STATES DISTRICT JUDGE