

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RONALD AVERY McPETERS,

Case No. 1:95-cv-05108-LJO-SAB

Petitioner.

V.

KEVIN CHAPPELL, Warden of San Quentin  
California State Prison,

## DEATH PENALTY CASE

**ORDER CONTINUING EVIDENTIARY  
HEARING AND MODIFYING SCHEDULE  
FOR PRE-HEARING EVENTS**

**Continued Hearing:**

Date: September 10, 2015

Time: 9:00 a.m.

## Courtroom: 9

Judge: Stanley A. Boone

This matter is before the Court on the parties' February 20, 2015 joint request to modify court's January 16, 2015 order which set a continued evidentiary hearing date of June 9, and provided direction and scheduling for pre-hearing events.

1 For good cause shown, it is HEREBY ORDERED that:

2 1. The Court's January 16, 2015 order (ECF No. 292) is modified as follows:

- 3 a. The evidentiary hearing set for June 9, 2015 at 9:00 a.m. in  
4 Department 9 is continued to September 10, 2015 at 9:00 a.m. in  
5 Department 9;
- 6 b. The deadline for the parties to provide Rule 26(a)(2) expert  
7 testimony and reports, and lay witness lists, and to request  
8 Petitioner's attendance at hearing is continued from February 27,  
9 2015 to May 28, 2015;
- 10 c. The deadline for disclosure of rebuttal expert witness testimony  
11 and related reports, and filing of discovery motions is continued  
12 from April 24, 2015 to July 23, 2015;
- 13 d. The deadline for the parties to serve the final witness and exhibit  
14 lists pursuant to Rule 26(a)(3), and to file copies of exhibits not  
15 previously filed in this matter is continued from May 22, 2015 to  
16 August 21, 2015;
- 17 e. The deadline for the parties to deliver exhibit binders is continued  
18 from May 29, 2015 to August 28, 2015; and
- 19 f. The deadline for filing in limine motions, supplemental joint pre-  
20 hearing statement and proposed findings of fact and conclusions of  
21 law is continued from June 2, 2015 to September 3, 2015.

22

23

24

25

26 2. In all other regards the January 16, 2015 order shall continue in full force and  
27 effect.

28

3. The parties shall, by not later than **May 15, 2015**, file in this proceeding a joint status report regarding the anticipated state habeas petition (competency to be executed) referenced in their February 20, 2015 joint request (ECF No. 293), including concurrence(s) therein and stipulation(s) thereunder.

IT IS SO ORDERED.

Dated: **February 24, 2015**

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE