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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**  
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13 RONALD AVERY McPETERS,

14 Petitioner,

15 v.

16 KEVIN CHAPPELL, Warden of San Quentin  
17 California State Prison,

18 Respondent.  
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23  
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Case No. 1:95-cv-05108-LJO-SAB

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

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26 This matter is before the Court on the parties' February 20, 2015 joint request to modify  
27 the Court's January 16, 2015 order which set a continued evidentiary hearing date of June 9,  
28 2015 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:

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4 a. The evidentiary hearing set for June 9, 2015 at 9:00 a.m. in  
5 Department 9 is continued to September 10, 2015 at 9:00 a.m. in  
6 Department 9;

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8 b. The deadline for the parties to provide Rule 26(a)(2) expert  
9 testimony and reports, and lay witness lists, and to request  
10 Petitioner's attendance at hearing is continued from February 27,  
11 2015 to May 28, 2015;

12 c. The deadline for disclosure of rebuttal expert witness testimony  
13 and related reports, and filing of discovery motions is continued  
14 from April 24, 2015 to July 23, 2015;

15 d. The deadline for the parties to serve the final witness and exhibit  
16 lists pursuant to Rule 26(a)(3), and to file copies of exhibits not  
17 previously filed in this matter is continued from May 22, 2015 to  
18 August 21, 2015;

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20 e. The deadline for the parties to deliver exhibit binders is continued  
21 from May 29, 2015 to August 28, 2015; and

22 f. The deadline for filing in limine motions, supplemental joint pre-  
23 hearing statement and proposed findings of fact and conclusions of  
24 law is continued from June 2, 2015 to September 3, 2015.

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26 2. In all other regards the January 16, 2015 order shall continue in full force and  
27 effect.  
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1           3.       The parties shall, by not later than **May 15, 2015**, file in this proceeding a joint  
2                   status report regarding the anticipated state habeas petition (competency to be  
3                   executed) referenced in their February 20, 2015 joint request (ECF No. 293),  
4                   including concurrence(s) therein and stipulation(s) thereunder.

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6  
7 IT IS SO ORDERED.

8 Dated: **February 24, 2015**

  
UNITED STATES MAGISTRATE JUDGE