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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWIN GREGORY,)	01: 98-cv-6521 LJO WMW (HC)
)	
Petitioner,)	ORDER VACATING HEARING ON
)	PETITIONERS MOTION FOR
v.)	CONTINUATION OF BAIL
)	
)	(Doc. #87)
WILLIAM DUNCAN, Warden)	
)	
Respondent.)	

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

In December, 2000, Petitioner was released from prison on bail after the Tulare Superior Court granted his habeas corpus petition and vacated the plea to second-degree murder. There was extensive litigation in state court, culminating when the California Supreme Court denied the petition on March 11, 2009. On March 16, 2009 the Tulare Superior Court revoked bail and remanded petitioner to custody. On March 19, 2009, Petitioner filed a Motion for Continuation of Bail with this Court and a hearing on the matter was set for April 23, 2009.

Having read and reviewed the following documents: Petitioner’s Motion for Continuation of Bail Pending Disposition of 18 U.S.C. Section 2254 Petition (Doc. #87), Respondent’s Opposition to

1 Motion for Bail in 28 U.S.C. Section 2254 Petition (Docs. #89, 90), and Petitioner's Reply to
2 Opposition to Motion for Bail Pending Habeas Corpus Adjudication (Doc. #94), this Court finds the
3 motion suitable for a decision without a hearing pursuant to LR 78-230(h). Accordingly, the hearing
4 set for April 23, 2009, is hereby VACATED and a decision on the motion will be forthcoming.

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7 IT IS SO ORDERED.

8 **Dated:** April 17, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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