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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

WARD FRANCIS WEAVER, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 Vincent Cullen, as Warden of San Quentin )  
 State Prison, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

Case No. 1:02-cv-05583-AWI  
DEATH PENALTY CASE  
ORDER GRANTING PETITIONER’S  
SECOND REQUEST TO EXTEND THE  
DUE DATE FOR HIS PHASE III  
BUDGET AND CONTINUE THE  
PHASE III CMC  
CMC DATE: August 2, 2010 VACATED  
NEW DATE: August 24, 2010  
TIME: 1:30 p.m.  
Courtroom Two

On July 20, 2010, Petitioner Ward Frances Weaver (“Weaver”) requested a 14-day extension for filing his partial Phase III budget and continuing the case management conference (“CMC”) with respect to the litigation of Claims 1 and 2 of his Petition. The request is unopposed.

FOR GOOD CAUSE SHOWN, the CMC currently scheduled for August 2, 2010 at 3:00 p.m. is continued to August 24, 2010 at 1:30 p.m., with Weaver’s counsel assuming the responsibility for arranging and initiating the call. Weaver’s counsel shall submit the proposed Phase III Budget and Case Management Plan for filing under seal no later than 2:00 p.m. on July 30, 2010. At the CMC, the parties shall be prepared to discuss a briefing schedule as described in the June 2, 2010 order initiating the Phase III case management plan. (Doc. 121).

IT IS SO ORDERED.

DATE: July 21, 2010

/s/ Anthony W. Ishii  
Anthony W. Ishii  
United States District Judge