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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CURTIS OWENS,)	1:03-cv-05327-LJO-BAK-GSA HC
)	
Petitioner,)	ORDER DIRECTING RESPONDENT TO
)	FILE A RESPONSE TO PETITIONER'S
v.)	REQUEST TO ENTERTAIN LIMITED
)	REMAND (Doc. 77) AND PETITIONER'S
E. ROE,)	MOTION TO REMAND (Doc. 80); THIRTY
)	DAY DEADLINE
Respondent.)	

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

On April 20, 2007, the Court entered judgment denying the instant petition. (Docs. 53 & 54). Petitioner subsequently appealed that judgment to the United States Court of Appeals for the Ninth Circuit, where the case is presently pending. On June 24, 2009, counsel for Petitioner filed in this Court a Request to Entertain Limited Remand, in which counsel "seeks an indication from this court that it would accept a remand from the United States Circuit Court of Appeals for the Ninth Circuit for any and all these limited purposes...." (Doc. 77, p. 1). Among the listed purposes for remand are, inter alia, the conduct of an evidentiary hearing and the making of various factual determinations by the Court. On September 23, 2009, counsel filed a motion for remand for an evidentiary hearing. (Doc. 80). Respondent did not respond to the first motion and the second motion has just been filed.

1 In the interests of judicial economy and to assist the Court in evaluating the merits of these
2 two pending motions, the Court will order Respondent to file a response indicating Respondent's
3 position with regard to these two motions.

4 Accordingly, the Court HEREBY ORDERS that Respondent file a response within thirty
5 (30) days of the date of service of this order indicating Respondent's position with respect to
6 Petitioner's Request to Entertain Limited Remand (Doc. 77) and Petitioner's Motion to Remand.
7 (Doc. 80).

8 IT IS SO ORDERED.

9 **Dated: September 24, 2009**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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