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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 TOMMY RAY WILLIAMS,) Case No.: 1:03-cv-05819-JLT
12)
13 Petitioner,) ORDER REQUIRING THE PARTIES TO FILE A
14) SUPPLEMENTAL BRIEF
15 v.)
16 MIKE KNOWLES, Warden,) 10-DAY DEADLINE
17)
18 Respondent.)
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29 This matter is before the Court after it was remanded by the Ninth Circuit Court of Appeal “for
30 a determination of whether [Petitioner’s] actual innocence claim meets the standard set forth in
31 McQuiggin so that he is entitled to an exception to the expiration of the AEDPA statute of
32 limitations.” (Doc. 89, pp. 2-3).

33 Within 10 days, the parties are **ORDERED** to file a brief, not to exceed five pages, indicating
34 whether an evidentiary hearing is appropriate related to the issue of whether the hospital’s in placing
35 the feeding tube into the victim constituted gross negligence. If either party requests such a hearing,
36 he SHALL set forth what the evidence he intends to present will show and the earliest possible
37 timeframe he would be ready for that hearing.

38 IT IS SO ORDERED.

39 Dated: February 19, 2015

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE