

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TOMMY RAY WILLIAMS, ) Case No.: 1:03-cv-05819-JLT  
Petitioner, )  
v. ) ORDER REQUIRING THE PARTIES TO FILE A  
MIKE KNOWLES, Warden, ) SUPPLEMENTAL BRIEF  
Respondent. ) 10-DAY DEADLINE  
 )  
 )

This matter is before the Court after it was remanded by the Ninth Circuit Court of Appeal “for a determination of whether [Petitioner’s] actual innocence claim meets the standard set forth in McQuiggin so that he is entitled to an exception to the expiration of the AEDPA statute of limitations.” (Doc. 89, pp. 2-3).

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

## IT IS SO ORDERED.

Dated: **February 19, 2015**

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE