

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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4 **RAYMOND ANTHONY LEWIS,**

5  
6 Petitioner,

7 **v.**

8 **VINCENT CULLEN<sup>1</sup>, ACTING WARDEN OF**  
9 **THE CALIFORNIA STATE PRISON AT SAN**  
10 **QUENTIN,**

11 Respondent

Case No. 1:03-cv-6775-OWW (DP)

DEATH PENALTY CASE

**ORDER**

12 This Court has read and approved the parties' Revised Joint Statement Regarding  
13 Exhaustion; Stipulation to AEDPA Timeliness; Proposed Schedule for Filing Answer; Agreement  
14 to Meet and Confer Post-Filing of Answer.

15 In accordance with the above, IT IS HEREBY ORDERED that:

16 1. All claims raised in the first amended petition for writ of habeas corpus (Doc. 58-2) are  
17 deemed exhausted;

18 2. The parties' stipulation as to AEDPA timeliness is effective;

19 3. Respondent is directed to file an answer without points and authorities, consistent with  
20 Rule 5 of 28 U.S.C. § 2254 Rules on or before January 31, 2011. The answer shall raise all  
21 substantive and procedural affirmative defenses Respondent intends to pursue; and

22 4. Within thirty days following the filing of the answer, the parties are directed to meet and  
23 confer to see if they can reach agreements on how to proceed toward fact development, hearing  
24 and briefing.

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28 <sup>1</sup> The name of the party is substituted pursuant to Fed.R.Civ.P. 25(d).

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IT IS SO ORDERED.

Dated: November 10, 2010

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE