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

**RICHARD JOHN VIEIRA,**  
  
Petitioner,  
  
**v.**  
  
**MICHAEL MARTEL, ACTING  
WARDEN,**  
  
Respondent.

Case No. 1:05-cv-01492 OWW (DP)  
**ORDER REVISED BRIEFING  
SCHEDULE**  
**CAPITAL CASE**

Respondent Michael Martel, as Acting Warden of San Quentin State Prison (the “Warden,” has submitted a request to modify the scheduling order issued July 22, 2010, and last modified June 1, 2011 (doc. 92). The Warden’s counsel reports that counsel for Petitioner Richard J. Vieira (“Vieira”) has no objection to the requested modification.

GOOD CAUSE APPEARING,

1. The Warden’s memorandum of points and authorities in opposition to the petition shall be filed on or before August 4, 2011. The Warden shall defer his discussion of the application of *Cullen v. Pinholster*, 131 S. Ct. 1388 (2011), until briefing on Petitioner Vieira’s anticipated motion for an evidentiary hearing.

2. Vieira shall file a reply brief on or before November 2, 2011.

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