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

JOHN ANTHONY BUCHANAN,

CASE NO. CV F 08-00304 LJO WMW HC

Petitioner,

**ORDER GRANTING FEDERAL
DEFENDER ACCESS TO SEALED
DOCUMENT**

vs.

L. E. SCRIBNER, et al.,

Respondents.

On February 22, 2008, John Anthony Buchanan (“Petitioner”), a *pro se* California prisoner, filed a Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 (“Petition”). On July 9, 2008, L. E. Scribner (“Respondent”) filed an Answer to the Petition. On September 5, 2008, Petitioner filed a Traverse.

On March 31, 2009, this Court issued an Order Appointing the Office of the Federal Defender as Counsel for Petitioner; Directing Clerk of Court to Serve Copy of Order on Appointed Counsel; Scheduling Status Conference. (Doc. 17.) In that Order, amongst other directives, the Court directed appointed counsel for Petitioner, the Federal Defender, to contact the Clerk of Court to make the necessary arrangements to have the case file copied. (*See Order.*)

On April 14, 2009, Petitioner’s appointed Assistant Federal Defender, Ann Voris, filed a Proposed Order to Unseal Documents (Doc. 19), wherein counsel requested that the Court order the

1 Clerk of Court to prepare and provide counsel with copies of all sealed documents in this case. Counsel
2 Voris stated that she spoke with Respondent's counsel, who indicated that he had no objection to the
3 unsealing of the documents to counsel so long as the documents are not provided to Petitioner or made
4 public. (See Proposed Order.)

5 _____Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Federal Defender's request to have access to the sealed Supplemental Clerk's
7 Transcript on Appeal (Doc. 15) is GRANTED, but ORDERS the Federal Defender:
8 (a) not to provide a copy of the sealed document to Petitioner or the public;
9 (b) that use of the sealed document is limited to analytical purposes; and
10 (c) not to contact any jurors or prospective jurors listed in the sealed document.
11 2. The Clerk of Court is DIRECTED to provide Ann Voris, Assistant Federal Defender, a
12 copy of the sealed Supplemental Clerk's Transcript on Appeal (Doc. 15).

13
14 IT IS SO ORDERED.

15 **Dated:** April 14, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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