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

JOHN ANTHONY BUCHANAN,
Petitioner,

CASE NO. CV F 08-00304 LJO WMW HC

vs.

**ORDER AFTER STATUS CONFERENCE;
SETTING EVIDENTIARY HEARING**

L. E. SCRIBNER, et al.,
Respondents.

DATE: July 10, 2009
TIME: 1:00 p.m.
LOCATION: 2500 Tulare Street
Fresno, CA, 93721
Courtroom 4
7th Floor

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On April 20, 2009, at 8:15 a.m. in chambers, the Court held a status conference pursuant to the Court’s March 31, 2009, 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 (“March 31, 2009, Order”). (*See* Doc. 17.) Assistant Federal Defender Ann Voris, representing John Anthony Buchanan (“Petitioner”), appeared in person. Deputy Attorney General Brian Means, representing L. E. Scribner (“Respondent”), appeared by telephone.

Based on the discussion of counsel and the Court at the status conference, IT IS HEREBY ORDERED that:

1. Petitioner’s opposition to Respondent’s April 17, 2009, Motion for Reconsideration (Doc. 21, “Motion”) is due on or before May 14, 2009. Pursuant to Respondent’s waiver

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of filing a reply to Petitioner’s opposition, the Court will take the Motion under submission on May 14, 2009, and issue an order on or before May 22, 2009.

- 2. Pursuant to the Court’s March 31, 2009, Order, an evidentiary hearing on Petitioner’s claim pursuant to *Batson v. Kentucky*, 476 U.S. 79 (1986), is set for **Friday, July 10, 2009**, at **1:00 p.m.** before the undersigned in Courtroom 4, 7th Floor, 2500 Tulare Street, Fresno, California, 93721.

IT IS SO ORDERED.

Dated: April 20, 2009

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