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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HENRY CLARK,)	1:09-CV-00655 LJO JMD HC
)	
Petitioner,)	ORDER DIRECTING RESPONDENT TO
)	FURNISH COMPLETE COPY OF
v.)	TRANSCRIPT OF NOVEMBER 27, 2006
)	PAROLE HEARING
L. WATSON,)	
)	
Respondent.)	

Henry Clark (hereinafter “Petitioner”) is a State prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The instant petition for writ of habeas corpus challenges the decision by the California Board of Parole Hearings (the “Board”) to deny Petitioner parole. Petitioner appeared before the Board on November 27, 2006.

The instant petition was filed on April 13, 2009. Respondent filed an answer, replying to the claim set forth in the petition on November 24, 2009. Respondent has included as exhibits to the answer Petitioner’s state court petitions, submitted to the Los Angeles County Superior Court, the California Court of Appeal, and the California Supreme Court. Each of those petitions contained an incomplete portion of the transcript from the November 27, 2006 hearing.

Respondent has also failed to furnish the Court with a complete transcript. Consequently, the Court cannot determine if the last reasoned decision by the State court was unreasonable as the Los Angeles County Superior Court cites to portions of the transcript that are not before this Court. Rule 5 of the Rules Governing Section 2254 Cases state that, “respondent must attach to the answer parts of the transcript that respondent considers relevant. The judge may order that the respondent furnish other parts of existing transcripts or that parts of untranscribed recording be transcribed and furnished.”

1 Here, the Court finds that a complete transcript of the November 27, 2006 parole hearing is
2 required for the Court to adequately adjudicate Petitioner's claims and determine if the State court
3 decision was unreasonable. Accordingly, the Court orders Respondent to furnish a complete copy of
4 the November 27, 2006 Board of Parole Hearing transcript within fifteen (15) days from the date of
5 service of this order.

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IT IS SO ORDERED.

Dated: August 9, 2010

/s/ John M. Dixon
UNITED STATES MAGISTRATE JUDGE