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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 KEITH ZON DOOLIN,

11 Petitioner,

12 v.

13 RON DAVIS, Warden of California State
14 Prison at San Quentin,

15 Respondent.

Case No. 1:09-cv-01453-AWI-SAB

DEATH PENALTY CASE

ORDER SCHEDULING PETITIONER'S
MOTION FOR EVIDENTIARY
DEVELOPMENT DURING ABEYANCE

16 On October 27, 2016, petitioner, through appointed counsel filed a motion that he be
17 allowed to develop new evidence bearing on his innocence from David Mugridge, former
18 counsel for third party Josefina Saldana; evidence allegedly suggesting that Saldana was
19 involved in one of the murders for which petitioner was charged and convicted. (*See* Doc. No.
20 187.) No hearing date for the motion has been scheduled.

21 The court stayed this proceeding on January 17, 2012 to allow petitioner to exhaust his
22 state claims including claims of innocence. *See In re Doolin*, Cal. Sup. Ct. No. S197391; *In re*
23 *Doolin*, Cal. Sup. Ct. No. S234285. The matter is remains in abeyance of action by the
24 California Supreme Court.

25 This order provides a schedule for petitioner's motion.

26 Accordingly,

27 1. Respondent's opposition to the motion, if any, shall be filed not later than thirty
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(30) days following the filed date of this order.

- 2. Petitioner’s reply to the opposition, if any, shall be filed not later than fifteen (15) days following the filed date of repondent’s opposition, whereupon this matter shall be deemed submitted.
- 3. The parties will be notified by minute order is a hearing is necessary.

IT IS SO ORDERED.

Dated: November 8, 2016



UNITED STATES MAGISTRATE JUDGE