

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

STEVEN DALE BELL,

1:10-cv-00109-OWW-DLB (HC)

Petitioner,

ORDER GRANTING PETITIONER'S
REQUEST TO SUBMIT A SUPPLEMENTAL
BRIEF AND GRANTING RESPONDENT'S
REQUEST FOR EXTENSION OF TIME TO
FILE A RESPONSE

v.

JAMES HARTLEY, Warden

[Docs. 12 & 13]

Respondent.

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner filed the instant petition for writ of habeas corpus on January 22, 2010, and challenges a November 6, 2008 decision by the California Board of Parole Hearings denying him parole. Respondent filed an Answer to the Petition on April 2, 2010, and Petitioner filed a traverse on May 3, 2010.

On May 11, 2010, Petitioner requested leave to present supplemental briefing in light of the Ninth Circuit's recent decision in Hayward v. Marshall, 2010 WL 1664977 (9th Cir. 2010). Petitioner attached the supplemental brief to his request and applied Hayward to the facts of his case.

In light of the recent decision in Hayward, the Court will grant Petitioner's request to submit a supplemental brief and it will be considered when a determination of the merits is rendered.

1 Respondent has requested a thirty day extension of time to respond to Petitioner's
2 supplemental brief, if such request is granted by the Court. Having presented good cause,
3 Respondent's request for an extension of time is GRANTED, and a response shall be filed within
4 thirty days from the date of service of this order.

5 IT IS SO ORDERED.

6 Dated: June 7, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE