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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOHN MICHAEL BEAMES,  
  
                    Petitioner,  
  
          v.  
  
RON DAVIS, Warden of San Quentin State  
Prison,  
  
                    Respondent.

Case No. 1:10-cv-01429-DAD-SAB  
  
DEATH PENALTY CASE  
  
ORDER UPON STIPULATION TO UNSEAL  
BRIEFS AND CLERK’S CONFIDENTIAL  
PENAL CODE § 987.9 TRANSCRIPT ON  
APPEAL  
  
(Doc. No. 223)

Before the Court is the parties’ November 7, 2016 stipulation to unseal documents lodged and filed under seal pursuant to this court’s October 29, 2015 order regarding a confidential state court [California Penal Code § 987.9] transcript prepared by the Tulare County Superior Court on October 24, 2001, captioned as a California Supreme Court document in petitioner’s automatic appeal.

The parties stipulate to unsealing the noted documents on grounds petitioner has waived confidentiality (*see* Doc. No. 223, at Ex. 1); the California Supreme Court has determined the record on appeal does not include any sealed transcript comprised of Penal Code section 987.9 materials (*see id.*, at Ex. 2); and the Tulare County Superior Court has signed a stipulation and order unsealing the confidential 987.9 transcript (*see id.*, at Ex. 3).

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