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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESUS CIANEZ HERNANDEZ,
Petitioner,
v.
GREG LEWIS, Warden,
Respondent.

Case No. 1:12-cv-01661-DAD-MJS (HC)
**ORDER REQUIRING PARTIES TO SUBMIT
SUPPLEMENTAL BRIEFING**
THIRTY (30) DAY DEADLINE

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus under 28 U.S.C. § 2254. He is represented by Linnea Marie Johnson of the Central California Appellate Program. Respondent Greg Lewis, Warden of Pelican Bay State Prison, is represented by David Eldridge of the Office of the California Attorney General.

On December 7, 2016, the undersigned issued findings and a recommendation regarding the petition, finding that Petitioner is entitled to relief and recommending that he be granted conditional release. (ECF No. 72.) On July 11, 2017, the District Judge declined to adopt the findings and recommendation and referred the matter back to the undersigned for amended findings and recommendations. (ECF No. 74.) Petitioner filed

1 a motion for reconsideration and amended motion for reconsideration, both of which
2 were denied by the District Judge. (ECF Nos. 75, 76, 77.)

3 In accordance with the order declining to adopt the findings and recommendation,
4 the parties shall, within thirty days of the date of this order, submit supplemental briefing
5 “addressing the standard of review and application of deference, if any, to the factual
6 findings made by the state court as well as the impact, if any, on the analysis of
7 prejudice under Napue.” (ECF No. 74 at 6.) Each party may file a response to the other’s
8 supplemental brief within twenty-one days thereafter. No replies shall be entertained
9 absent further order of the Court.

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11 IT IS SO ORDERED.

12 Dated: August 26, 2017

1st Michael J. Seng
13 UNITED STATES MAGISTRATE JUDGE

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