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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DANIEL LEE WHALEN,
Petitioner,
v.
WARDEN, California State Prison at San
Quentin,
Respondent.

Case No. 1:14-cv-01865-LJO-SAB
DEATH PENALTY CASE
ORDER MODIFYING CASE
MANAGEMENT ORDER
(ECF No. 26)
ORDER DIRECTING RESPONDENT TO
ELECTRONICALLY LODGE RECORD

Following the May 26, 2015 initial case management conference, Respondent was ordered to lodge the state record in electronic (PDF-OCR) form accompanied by a notice of lodging. On July 10, 2015, Respondent filed a notice of lodging and index of state court record in electronic form, on CD. However, lodging on CD prevents the record from being accessed through the Court’s Case Management / Electronic Case Files docketing and file system (“CM/ECF”).

Therefore, Respondent shall be ordered to electronically lodge the state record through the CM/ECF system. All documents shall be Bates-stamped using the AG000001 numbering system, scanned in PDF-OCR form, and filed into the CM/ECF system as attachments to the docket entry, which shall be the notice and index of electronic lodging. See Local Rule 133.

1 The notice and index of lodging shall identify the attachment numbers, the Bates-stamped
2 numbers, and the name, volume and internal pagination (as applicable) of each portion of the
3 record.

4 Notwithstanding the foregoing, documents lodged under seal may be lodged in paper
5 format consistent with the sealing order.

6 Accordingly, it is hereby ORDERED that, within sixty (60) days of the filed date of this
7 order, Respondent shall electronically lodge the state record through CM/ECF in the manner
8 provided herein. Any supplemental lodging also shall be electronically lodged through
9 CM/ECF. All documents shall be cited in the above manner. The May 27, 2015 scheduling is
10 modified as above and otherwise continues in full force and effect.

11 IT IS SO ORDERED.

12 Dated: October 16, 2015



UNITED STATES MAGISTRATE JUDGE