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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY F. STANLEY,
Petitioner,
v.
WARDEN, San Quentin State Prison,
Respondent.

No. 2:95-CV-1500 JAM CKD
DEATH PENALTY CASE
ORDER

Petitioner seeks respondent’s compliance with Local Rule 191(h)(1) to obtain the record of the state court’s retrospective competency proceedings. (ECF No. 946.) Respondent’s counsel asserts Rule 191(h)(1) is not applicable in this situation. (ECF No. 951.) However, respondent notes that this court has authority to order him “to file the court documents related to the 2011 competency proceedings in Lake County Superior Court.” (Id. at 3.) This order requires respondent to do so.

Within five days of the filed date of this order, petitioner shall file a statement explaining which portions of the state court record he lacks. Within twenty days thereafter, respondent shall file a notice that he has lodged those portions of the record with the court or explain why he was unable to do so.

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IT IS SO ORDERED.

Dated: November 4, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

Stanley comp pro record.or2