

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL MICKEY FRADIUE,

Petitioner,

No. 2:00-cv-2209 MCE KJN P

vs.

JAMES WALKER, Warden,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner proceeding through counsel with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By order filed April 18, 2008, petitioner was granted leave to notice the deposition of defense counsel and respondent was directed to lodge certain discovery documents with the court. On May 27, 2008, a subpoena was issued commanding defense counsel to appear for deposition. On June 19, 2008, respondent lodged discovery documents with the court. On June 24, 2008, the executed subpoena was filed with the court noting defense counsel’s deposition was noticed for June 20, 2008. In light of that discovery, the parties shall be provided an opportunity to file subsequent briefing concerning the issues pending in this action.

///

///

1 Accordingly, IT IS HEREBY ORDERED that within twenty-one days from the
2 date of this order, petitioner shall file a supplemental brief. Respondent's reply, if any, shall be
3 filed twenty-one days thereafter.

4 DATED: September 13, 2010

5
6
7 
8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

10
11 frad2209.fb
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26