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

CHARLES D. RIEL,

Petitioner,

No. CIV S-01-0507 LKK KJM

vs.

DEATH PENALTY CASE

ROBERT L. AYERS, Jr.,  
Warden of San Quentin  
State Prison,

Respondent.

ORDER

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On February 11, 2010, Judge Karlton denied petitioner's motion for reconsideration of this court's order granting respondent's motion to depose petitioner. As noted in Judge Karlton's order, there are unresolved issues regarding the conduct of the deposition and possible objections thereto.

Accordingly, within twenty-one days of the filed date of this order, petitioner shall file a brief regarding the issue of petitioner's assertion of the Fifth Amendment or other objections anticipated during his deposition and any proposals for the conduct of the deposition.

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1 Respondent shall file a response within twenty-one days of the filing date of petitioner's  
2 statement. Petitioner may file a reply within fourteen days thereafter.

3 DATED: February 18, 2010.

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U.S. MAGISTRATE JUDGE

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