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

At the court's direction, the parties filed a stipulation regarding the methods for

taking the testimony of lay witnesses. See Docket No. 364. It appears to the court that there is

nothing preventing the parties from proceeding with the depositions in lieu of in-court testimony

("testimony depositions") of lay witnesses. Within five days of the filed date of this order, the

parties may file statements explaining any reasons why those testimony depositions cannot or

WARDEN, San Quentin State Prison,

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Respondent. ORDER

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should not proceed. If the parties agree that they may proceed, the court will rule on the methods for taking the lay witness testimony.

DATED: June 29, 2010.

U.S. MAGISTRATE JUDGE