

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

CHARLES D. RIEL,

Petitioner,

No. CIV S-01-0507 LKK KJM

vs.

DEATH PENALTY CASE

WARDEN, San Quentin
State Prison,

Respondent.

ORDER

_____ /

As set out in the court's June 30 order, the parties may begin taking the testimony depositions of lay witnesses. There is an outstanding issue of the method or methods for recording each of these depositions. Neither party appears to object to the court issuing a ruling on the methods of recording. Accordingly, IT IS HEREBY ORDERED as follows:

1. The court approves the methods for recording lay witness testimony set out in the parties' June 1, 2010 Stipulation.
2. There is currently no deadline for conducting the lay witness testimony depositions. See June 23, 2010 Order at 2. As set forth in the June 23 order, a new schedule for the taking of in-court and out-of-court testimony will be set later. In the meantime, the parties may agree to conduct lay witness testimony depositions. If, as indicated in petitioner's July 6,

1 2010 Statement, it is necessary to conduct some depositions soon and if the parties are unable to
2 agree to a date for doing so, petitioner may request court intervention to determine an appropriate
3 deposition date.

4 DATED: July 22, 2010.

5
6 
7 _____
8 U.S. MAGISTRATE JUDGE
9

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

riel lay w testi.or