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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 DAD

vs.

DEATH PENALTY CASE

WARDEN, San Quentin
State Prison,

Respondent.

ORDER

_____ /

On November 16, 2011, the undersigned heard argument regarding the effects of the decision in Cullen v. Pinholster, ___ U.S. ___, 131 S. Ct. 1388 (2011) on these proceedings. Attorneys Tivon Schardl and Robert Bacon appeared for petitioner. Deputy Attorney Generals Tami Krenzin and Heather Gimle appeared for respondent.

Given the recent decisions in Pinholster and Harrington v. Richter, ___ U.S. ___, 131 S. Ct. 770 (2011), the parties agreed at the hearing that it would be appropriate at this time for them to brief the satisfaction of 28 U.S.C. §2254(d) with respect to the claims which are the subject of the evidentiary hearing ordered in 2008 and for claim 36, the subject of petitioner’s March 14, 2011 motion to expand the record. See Doc. Nos. 204, 212, and 470.

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