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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,  
  
                                Petitioner,  
  
                                v.  
  
WARDEN, San Quentin State Prison,  
  
                                Respondent.

No. 2:01-cv-0507 MCE DB  
DEATH PENALTY CASE  
  
ORDER

The undersigned held a status and scheduling conference in this action on June 15, 2018. Robert Bacon and Lindsay Bennett appeared for petitioner. Tami Krenzin and Heather Gimle appeared for respondent. The parties agree that they require more time to prepare for the evidentiary hearing on petitioner’s claims 2 and 5, as described in the court’s March 19, 2018 order. They stipulated to an exchange of tentative witness lists near the end of this year and a follow-up status and scheduling conference in January 2019. The court finds these dates acceptable. With respect to outstanding motions, the parties point only to petitioner’s June 3, 2010 request for reconsideration by the district judge. (See ECF No. 373.) The court informed petitioner’s counsel that they should notify the currently-assigned district judge about the pending motion.

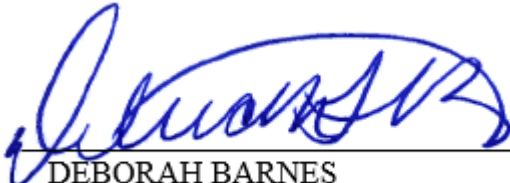
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Accordingly, IT IS HEREBY ORDERED as follows:

1. By November 30, 2018, the parties shall exchange lists of the witnesses whose testimony each party tentatively intends to put on as part of the evidentiary hearing. Those lists shall include a summary of each witness's testimony.
2. On January 11, 2019 at 10:00 a.m. in courtroom #27, the undersigned will hold a status and scheduling conference. At that conference, the parties should be prepared to discuss: (1) whether either party will seek additional discovery on the evidentiary hearing claims; (2) a date for the evidentiary hearing and its anticipated length; and (3) how the testimony of each witness should be taken.

Dated: June 15, 2018



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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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