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

ROBERT E. LEE,

Petitioner,

No. CIV S-03-2197 LKK KJM P

vs.

MARK SHEPHERD, Warden,

Respondents.

ORDER

_____/

Under Rule 7 of the Rules Governing Section 2254 Cases, this court “may direct the parties to expand the record by submitting additional materials relating to the petition.” In this case, the court directs the parties to expand the record with the following materials, by the date of the evidentiary hearing, if possible. If not possible, the parties should be prepared to address at the evidentiary hearing the time necessary for the provision of these materials to the court.

1. A reporter’s transcript of the proceedings on March 8, 2001, where counsel declared a doubt as to petitioner’s competence, if the proceeding was transcribed;
2. A reporter’s transcript of the proceeding on March 29, 2001, where the court found petitioner incompetent to stand trial;

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1 3. A reporter's transcript of the proceedings on April 19, 2001, where petitioner
2 was committed to Atascadero State Hospital;

3 4. A reporter's transcript of the proceedings of July 16, 2001, where the case was
4 set for the return from Atascadero State Hospital;

5 5. A reporter's transcript of the proceedings of August 2, 2001, where the court
6 found petitioner competent to stand trial and ordered the criminal proceedings reinstated;

7 6. The reports filed by Drs. Matuzzi and Nakagawa on or before March 29,
8 2001; and

9 7. Any and all reports prepared by the staff at Atascadero State Hospital
10 concerning petitioner between April 19, 2001 and August 2, 2001.

11 IT IS SO ORDERED.

12 DATED: June 8, 2010.

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14 _____
15 U.S. MAGISTRATE JUDGE

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