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

MICHAEL COX,

NO. CIV.S-04-0065 MCE DAD DP

Petitioner,

ORDER

v.

VINCENT CULLEN, Acting Warden
of the California State Prison
at San Quentin¹,

DEATH PENALTY CASE

Respondent.

_____ /

On August 27, 2010, this action came before the undersigned for status conference pursuant to the court's July 28, 2010, order granting petitioner's motion to lift the stay of this action in light of the California Supreme Court's ruling on petitioner's exhaustion petition. Assistant Federal Defenders Timothy J. Foley, appeared for

¹ In his status report respondent identifies Vincent Cullen as the new Acting Warden of the California State Prison at San Quentin. Accordingly, the court now substitutes in Acting Warden Cullen as the correct respondent in this habeas action and directs the Clerk of the Court to make the necessary change in the court's records.

1 petitioner. Deputy Attorney General R. Todd Marshall, appeared for
2 respondent.

3 For the reasons addressed on the record at the hearing, IT
4 IS HEREBY ORDERED AS FOLLOWS:

5 1. The parties shall meet and confer and offer a proposed
6 stipulation and order for the court's consideration with respect to
7 the correction of the record previously lodged by respondent in this
8 action;

9 2. Respondent shall file his response to the pending
10 petition by March 10, 2011; and

11 3. Petitioner shall file his traverse by April 14, 2011.

12 DATED: August 27, 2010.

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15 _____
16 DALE A. DROZD
17 UNITED STATES MAGISTRATE JUDGE

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