UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MICHAEL E. FRANKLIN, Petitioner, v. WARDEN, Mule Creek State Prison, Respondent.	Civ. No. S-05-304 KJM ORDER

On March 30, 2013, this court granted petitioner's motion for an evidentiary hearing on the question whether Juror No. 3 prematurely decided petitioner's guilt. ECF No. 109. Respondent filed a motion for reconsideration, ECF No.110, which was denied on October 11, 2013. ECF No. 116. The case is currently set for hearing on June 16, 2014.

On April 2, 2014, respondent filed a "Notice of Supplemental Authority." ECF No. 135. Petitioner asks that the notice be stricken or, in the alternative, that he be given leave to file a response.

As no motion or request is pending, there is nothing to supplement. Respondent's Notice, ECF No. 135, is therefore stricken. The parties may address the impact of *Murray v. Schriro*, No. 08-99013, ___ F.3d___, 2014 WL 998019 (9th Cir. Mar. 17, 2014), in post-hearing briefing.

IT IS SO ORDERED.

DATED: April 10, 2014.

UNITED STATES DISTRICT JUDGE