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

JEFFREY DEAN FORD,
Petitioner,

No. CIV S-05-0944 LKK GGH

vs.

TOM L. CAREY
Respondent.

ORDER

_____ /

Petitioner has filed the declarations directed to be filed by order of January 4, 2010. The declarations sufficiently justify the further DNA testing requested. The undersigned will process petitioner's request for further funds to perform the testing.

The testing shall be completed as soon as possible, but in no event later than 45 days from the filed date of this order. In the event petitioner's counsel believes that an evidentiary hearing is warranted after receiving the test results, she shall forthwith coordinate the date for evidentiary hearing with respondent's counsel and the court. If an evidentiary hearing is not warranted, petitioner's counsel shall file a pleading to that effect forthwith after receiving the test results.

DATED: 01/20/2010

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

ford0944.test