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

DUANE HOLLOWAY,)	<u>DEATH PENALTY CASE</u>
)	
Petitioner,)	NO. CIV S-05-2089 FCD-EFB
)	
v.)	STIPULATION AND ORDER TO
)	CONTINUE BRIEFING AND HEARING ON
VINCENT CULLEN, Warden of San)	RESPONDENT'S MOTION FOR SUMMARY
Quentin State Prison,)	JUDGMENT RE: PROCEDURAL BARS
)	
Respondent.)	
)	

On November 12, 2009, this Court set forth a briefing and hearing schedule, that required respondent to file a motion for summary adjudication regarding procedural bars on or before April 29, 2010, for petitioner to file a response to that motion on or before June 24, 2010, and for respondent to file a reply in support of that motion on or before July 8, 2010. The Court set a hearing on that motion for July 21, 2010 at 10:00 a.m.

Since the previous hearing, the parties have developed conflicting scheduling obligations. In addition, Respondent does not oppose Petitioner's request for an enlargement of time to respond to Respondent's motion. Accordingly, the parties stipulate as follows:

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1 Petitioner's response to respondent's motion for summary judgment shall be filed on or before
2 August 23, 2010. Respondent's reply shall be filed on or before September 6, 2010. The hearing on
3 respondent's motion shall be held at 10:00 a.m. on September 22, 2010.

4 IT IS SO ORDERED

5 Dated: June 16, 2010.

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7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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