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DUANE HOLLOWAY

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

DUANE HOLLOWAY,

Petitioner,

v.

MICHAEL MARTEL, Warden of San
Quentin State Prison

Respondent.

DEATH PENALTY CASE

NO. CIV S-05-2089 FCD-EFB


**ORDER SCHEDULING FURTHER
PROCEEDINGS REGARDING
RESPONDENT'S MOTION FOR SUMMARY
JUDGMENT**

On August 2, 2010, this Court stayed proceedings on Respondent's pending motion for summary judgment, which seeks the dismissal of various claims based on procedural bars. In its August 2, 2010 Order, the Court stayed briefing pending the issuance of the United States Supreme Court's decision in *Walker v. Martin*, ___ S.Ct. ___, 2011 WL 611627 (February 23, 2011). In addition, the Court directed the parties to file a joint status report within 14 days after a decision in *Martin* is rendered.

Pursuant to that Order, the parties have filed a Joint Status Statement Regarding Respondent's Motion for Summary Judgment, which proposes a schedule for further briefing and hearing that is agreeable to both parties.

1 This Court adopts that proposed schedule. Petitioner's brief in opposition to Respondent's motion
2 for summary judgment shall be filed on or before May 24, 2011. Respondent's reply shall be filed on or
3 before June 23, 2011. The hearing on Respondent's motion shall be held on July 13, 2011 at 10 a.m.

4 Dated: March 10, 2011.

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6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
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