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

MICHAEL J. BRODHEIM,

Petitioner,

No. CIV S-06-2326 LKK GGH P

vs.

KATHLEEN DICKINSON, et al.,

Respondents.

ORDER

\_\_\_\_\_ /

Previously pending on this court’s law and motion calendar for February 28, 2013, was petitioner’s request to vacate motions and scheduling dates, filed January 24, 2013, based on the Board of Parole Hearings’ grant of parole. Having reviewed respondent’s opposition and heard oral argument, the court now issues the following order.<sup>1</sup>

For reasons stated at hearing, IT IS ORDERED that:

1. Respondent’s motion to dismiss, filed September 26, 2011, is reinstated.
2. Respondent shall file an opposition by June 21, 2013. Should the Governor affirm the Board’s decision prior to this date, petitioner shall file a statement to this effect in place of an opposition.

\_\_\_\_\_ <sup>1</sup> By order of January 29, 2013, the court vacated respondent’s previously scheduled motion to dismiss from the February 28, 2013 calendar.

1                   3. A reply may be filed by June 28, 2013. The motion will then be taken under  
2 submission without a hearing.

3 DATED: March 6, 2013

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5                                   /s/ Gregory G. Hollows  
6                                   UNITED STATES MAGISTRATE JUDGE

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