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

CLINTON MORRIS REDDICK,

Petitioner,

No. CIV S-07-1147 JAM KJM P

vs.

T. FELKER,

Respondent.

ORDER

_____ /
The court has received transcripts from the California Court of Appeal, which have been provided under seal. The transcripts are from hearings during which petitioner asked the trial court judge to relieve his trial counsel and provide substitute counsel. Counsel for respondent seeks access to the transcripts in conjunction with the preparation of respondent's answer to petitioner's claim that petitioner was denied effective assistance of trial counsel because his trial counsel refused to call petitioner's mother as a witness. Petitioner was given an opportunity to respond to respondent's request and has chosen not to.

The court has reviewed the transcripts. The matters discussed at the transcribed hearings do concern petitioner's ineffective assistance of counsel claim. Therefore, respondent will be granted access to the transcripts.

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Good cause appearing, IT IS HEREBY ORDERED that:

1. The transcripts submitted by the California Court of Appeal on May 20, 2009 shall be filed under seal.

2. Counsel for respondent is permitted to copy the transcripts by making arrangements to do so with the Clerk of the Court.

3. Counsel for respondent shall not divulge the contents of the transcripts or permit any one to view the transcripts without court order, except that respondent is free to refer to those portions of the transcripts which are relevant to petitioner's claim of ineffective assistance of counsel in respondent's answer.

DATED: July 22, 2009.



U.S. MAGISTRATE JUDGE

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holl1065.sel