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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ED ONTIVEROS,

12 Petitioner,

13 v.

14 R.J. SUBIA, Warden,

15 Respondent.
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No. 2:07-cv-1441 JAM DAD P

ORDER

17 Petitioner is a state prisoner proceeding through counsel with a petition for writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254. The court finds that an evidentiary hearing is warranted in
19 this matter on the issue of whether petitioner is entitled to equitable tolling of the statute of
20 limitations.

21 Accordingly, IT IS HEREBY ORDERED that:

22 1. This matter is set for an evidentiary hearing before the undersigned on June 1, 2015, at
23 9:00 a.m. in Courtroom 27;

24 2. The evidentiary hearing shall be limited to the issue of whether petitioner is entitled to
25 equitable tolling of the statute of limitations; and

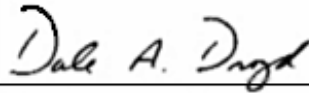
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1 3. The court will issue a separate order and writ of habeas corpus ad testificandum for
2 petitioner's attendance at the evidentiary hearing approximately six weeks prior to the hearing
3 date. Counsel for petitioner is directed to keep the court apprised of petitioner's institution of
4 incarceration.

5 Dated: January 29, 2015

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8 DALE A. DROZD
9 UNITED STATES MAGISTRATE JUDGE

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