

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ED ONTIVEROS,

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

Petitioner,

## ORDER

R.J. SUBIA, Warden,

## Respondent.

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

Accordingly, IT IS HEREBY ORDERED that:

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

2. The evidentiary hearing shall be limited to the issue of whether petitioner is entitled to 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

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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