

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

CHARLES G. REECE,

Petitioner,

vs.

D. K. SISTO, Warden, California State
Prison, Solano,

Respondent.

No. 2:08-cv-00488-JKS

ORDER

At Docket No. 14 this Court entered its Order granting Respondent's motion to stay further proceedings in this case pending the decision of the Court of Appeals for the Ninth Circuit in *Hayward v. Marshall*.¹ In that Order the Court directed Respondent to serve and file an answer to the petition within 60 days after the Ninth Circuit en banc panel issued its mandate. The Ninth Circuit rendered its decision on April 22, 2010² and issued its Mandate on June 10, 2010.

Accordingly, Respondent's answer is due on or before **August 9, 2010**. Reece may file a reply to the answer not later than 30 days after Respondent serves and files his answer.

IT IS SO ORDERED.

Dated: July 1, 2010.

/s/ James K. Singleton, Jr.
JAMES K. SINGLETON, JR.
United States District Judge

¹ 512 F.3d 536, *reh'g en banc granted*, 527 F.3d 797 (9th Cir. 2008)

² *Hayward v. Marshall*, 603 F.3d 546 (9th Cir. 2010) (en banc).