

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

9 ROBERT LEE JOHNSON,) Case No. 2:08-cv-01425-MSB
10 Petitioner,)
11 vs.) **ORDER**
12 STEVE MOORE, Warden,)
13 Respondent.)

14 The Court is in receipt of Petitioner's fully briefed Petition for Writ of Habeas Corpus. (Dkt.
15 #s 1, 16, 18). A ruling on the petition was awaiting the decision of the *en banc* panel of the United
16 States Court of Appeals for the Ninth Circuit in *Hayward v. Marshall*, No. 06-55392. The *en banc*
17 panel issued its decision on April 22, 2010. *See Hayward v. Marshall*, 603 F.3d 546 (9th Cir. 2010)
18 (en banc).

IT IS HEREBY ORDERED THAT:

20 The parties are directed to file a status report concerning Petitioner's status within 14 days
21 of the date this order is filed. The report shall be no more than five (5) pages and shall address the
22 following questions: Has Petitioner been paroled? If not, has he received a parole hearing
23 subsequent to the November 9, 2007 parole hearing at issue in this case? If so, what was the result?
24 Does Petitioner have a confirmed parole hearing date? Are there any other proceedings that may
25 affect his status?

1 DATED this 4th day of June, 2010.
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/s/ Marsha S. Berzon

MARSHA S. BERZON

United States Circuit Judge, sitting by designation

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