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

DAVID ALLEN RUNDLE,

Petitioner,

No. 2:08cv01879 GEB KJN

vs.

DEATH PENALTY CASE

WARDEN,
San Quentin State Prison,

ORDER RE: CASE MANAGEMENT AND
BUDGETING PROCEDURES

Respondent.

_____ /

To ensure continuing court supervision of capital habeas cases and to control costs, the court established case management and budgeting procedures. Those procedures are described in detail in the attached "Guide to Case Management and Budgeting in Capital Habeas Cases." The court expects counsel for both parties to become familiar with the case management procedures.

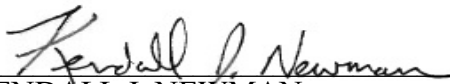
On March 18, 2010 at 10:00 a.m. in courtroom #25, this court will hold a case management conference. Respondent's counsel shall be prepared to discuss a date to lodge the state court record as described in Local Rule 81-191(j)(1) and a date for filing the answer or other responsive pleading. Respondent's counsel is warned that since Rule 81-191(j)(1) requires the record be lodged within twenty days of service of the petition, the court will expect respondent to

1 be prepared to lodge it shortly after the conference. Petitioner's counsel shall be prepared to
2 discuss whether petitioner anticipates filing a traverse.

3 At the conclusion of the case management conference, respondent's counsel will
4 be excused and the conference will continue ex parte with counsel for petitioner present to
5 discuss budgeting procedures. Petitioner's counsel shall bring to the budgeting conference a
6 completed Case Evaluation Form, Appendix B to the attached Guide, but need not propose a
7 budget since the case is currently in the middle of the second phase of the four-phase budgeting
8 system. Counsel should be prepared to discuss whether or not budgeting the remainder of phase
9 II would be appropriate.

10 In addition to serving this order upon counsel, the Clerk of the Court is directed to
11 serve it upon Kurt Heiser, CJA Administrator, Office of the Federal Defender; and Sandy
12 Andrews, Research and Policy Analyst, Office of the Circuit Executive.

13 DATED: February 23, 2010

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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