

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

JERRY E. BROWNING,

Petitioner,

vs.

S. M. SALINAS,¹ Warden, Deuel
Vocational Institution,

Respondent.

No. 2:09-cv-00415-JKS

ORDER TO SHOW CAUSE

IT IS HEREBY ORDERED THAT, on or before **November 25, 2009**, the parties are to show cause why further proceedings in this matter should not be stayed pending the issuance of the mandate by the United States Court of Appeals for the Ninth Circuit in *Hayward v. Marshall*, 512 F.3d 536, *reh'g en banc granted*, 527 F.3d 797 (9th Cir. 2008), Case No. 06-55392.

Dated: November 5, 2009.

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

¹ S. M. Salinas, Warden, Deuel Vocational Institution, is substituted for Steve Moore, Warden, Deuel Vocational Institution. Fed. R. Civ. P. 25(b).