

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

RODOLFO LIRA-ANDRADE,

Petitioner,

No. CIV S-09-0533 EFB

vs.

ERIC H. HOLDER, Jr., Attorney General,

Respondent.

ORDER

\_\_\_\_\_ /

This matter was before the court on July 8, 2009, for hearing on the court's June 25, 2009, order directing counsel for petitioner to show cause why sanctions should not be imposed for his failure to appear as scheduled on June 24, 2009, and for a status conference. Counsel for petitioner filed a timely response to the order to show cause, and for the reasons stated at the hearing the court declines to impose sanctions and discharges the order to show cause.

The court proceeded with the status conference on the petition regarding Mr. Lira-Andrade's claim to United States citizenship, on which an evidentiary hearing must be held, and, after hearing, sets the following schedule.

Accordingly, IT IS HEREBY ORDERED that:

- 1. This court's June 25, 2009, order to show cause is discharged.

///

1           2. The government shall, on or before August 31, 2009, submit to the court and to  
2 petitioner the Administrative Record, including all portions of the Alien File.

3           3. The parties may conduct discovery until October 30, 2009. By that date, the parties  
4 shall have made all discovery requests, resolved any discovery disputes informally or by motion  
5 to the court and complied with any order compelling discovery.

6           4. Petitioner shall file an opening brief no later than November 4, 2009. Amongst other  
7 matters, the brief must address evidentiary issues which are susceptible of resolution before the  
8 hearing, particularly those involving the authentication of relevant documents.

9           5. The government shall file a responsive brief no later than November 11, 2009.

10          6. The evidentiary hearing shall commence before the undersigned on November 18,  
11 2009, at 9:30 a.m., in Courtroom No. 25.

12          So ordered.

13 DATED: July 10, 2009.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE