UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ARQUIMEDES MENDOZA, Petitioner, v. MATTHEW CATE, Respondent.	No. 2:09-cv-1710 MCE AC P (TEMP) ORDER

Petitioner is a former state prisoner proceeding through counsel with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. An evidentiary hearing is scheduled in this matter for July 25, 2016. On July 18, 2016, petitioner filed a motion to continue the evidentiary hearing, explaining that the two witnesses he wishes to call at the hearing will not be available to testify on July 25 despite the efforts of petitioner's trial counsel to obtain their attendance. Good cause appearing, petitioner's request for a continuance will be granted. This matter will be reset for evidentiary hearing at a later date at the court's own initiative.

Accordingly, IT IS ORDERED that petitioner's July 18, 2016 motion to continue evidentiary hearing (ECF No. 99) is granted. The evidentiary hearing currently scheduled for July 25, 2016 is vacated and will be reset at the court's initiative at a later date.

DATED: July 20, 2016

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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