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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARQUIMEDES MENDOZA,
Petitioner,
v.
MATTHEW CATE,
Respondent.

No. 2:09-cv-1710 MCE DAD P

ORDER

Petitioner is a state prisoner proceeding through appointed 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 April 21, 2004. Petitioner’s March 31, 2014 “Application and Request to Limit Discovery to Relevant Matters; Request for in Camera Review and For a Protective Order,” and petitioner’s ex parte “Application for Authority to Subpoena Witnesses (Rule 17(b) and Have U.S. Marshal Pay Witness Fees Pursuant to 28 U.S.C. § 1825(B)” came on for telephonic hearing on April 1, 2014, at 10:45 a.m. in the courtroom of the undersigned. Attorney Michael Bigelow appeared for petitioner. Deputy Attorney Generals Kevin Quade and Justain Riley appeared for respondent.

Upon considering the documents filed with the court and the arguments of the parties, and good cause appearing, THE COURT ORDERS AS FOLLOWS:

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1. Authorization for issuance of the subpoena and Subpoena Duces Tecum to Deputy District Attorney Grant Brooks, Esq. and attorney Gary Grant Hickey and payment of the witnesses by the U.S. Marshal is hereby granted; and

2. The parties shall lodge with the court a stipulated protective order with regard to the material subject to subpoena prior to April 21, 2014.

Dated: April 1, 2014



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:8
Mendoza1710.fee