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

ZEFERINO ORTIZ VASQUEZ,

Petitioner,

No. 2:09-cv-3141 GEB KJN P

vs.

MICHAEL MARTEL, Warden, et al.,

Respondents.

ORDER

_____ /


Petitioner is a state prisoner proceeding through counsel with a petition for writ of habeas corpus. On June 28, 2010, petitioner filed a joint status report pursuant to this court’s June 7, 2010 order. Counsel for respondent was unavailable to confer regarding the statement as he is out of the office until July 12, 2010.

Good cause appearing, counsel for respondent will be directed to file a supplemental statement addressing the issues raised in the June 28, 2010 status report. The statement shall include a briefing schedule on respondents’ anticipated motion to dismiss, and counsel for respondents shall address their position on the issue that trial counsel failed to file petitioner’s notice of appeal in light of Roe v. Flores-Ortega, 528 U.S. 470 (2000). Counsel shall file the statement within fourteen days from the date of this order.

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1 Accordingly, IT IS HEREBY ORDERED that, within fourteen days from the date
2 of this order, counsel for respondents shall file a supplemental statement. Failure to timely
3 comply with this order may result in the imposition of sanctions.

4 DATED: July 6, 2010

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8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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