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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEITH LOLLIS, No. 2:09-cv-03558-MCE-GGH  
Petitioner,  
v. ORDER  
J.W. HAVILAND, et al.  
Respondents.

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Petitioner, a pro se state prisoner, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and E.D. Cal. Local Rule 302.

The Court is in receipt of Magistrate Judge Hollow's Findings and Recommendations regarding Respondent's Motion to Dismiss (ECF. No. 11).

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1 In light of the decision in Hayward v. Marshall, 603 F.3d 546  
2 (9th Cir. 2010), this Court requests additional briefing by both  
3 parties to address Respondent's claim that the "some evidence  
4 standard" does not apply to Petitioner's claim. Such briefs are  
5 to be filed within thirty (30) days of the date that this order  
6 is electronically filed.

7 IT IS SO ORDERED.

8 Dated: October 26, 2010

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11 MORRISON C. ENGLAND, JR.  
12 UNITED STATES DISTRICT JUDGE  
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