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7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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 11
 12 MICHAEL BRODHEIM,) NO. Civ. S 10-272 GEB CMK
)
 13 Petitioner,) **UNOPPOSED REQUEST TO FILE JOINT**
) **STATUS REPORT; ORDER**
 14 v.)
)
 15 KATHLEEN DICKENSON, Acting) **Judge: Hon. Craig M. Kellison**
 Warden,)
)
 16 Respondent.)
)
 17)
)
 18)

19 Petitioner, MICHAEL BRODHEIM, by and through his counsel, Assistant
 20 Federal Defender David M. Porter, hereby requests that the Court enter
 21 the order lodged herewith directing the parties to file a joint status
 22 report within seventy-five (75) days from the service of the order for
 23 the reasons set forth below.

24 In the above-entitled proceeding, Mr. Brodheim is challenging the
 25 state's 2007 decision to deny him parole. In a separate proceeding,
 26 *Michael J. Brodheim v. M. Veal*, No. Civ. S 06-2326 LKK GGH, Mr. Brodheim
 27 is challenging the state's 2003 decision to deny him parole. In that
 28 case, the district court granted Mr. Brodheim's petition on November 1,

1 2010 and directed the Warden to release Mr. Brodheim within 45 days
2 unless the Board held a new suitability hearing. The Board has set a new
3 parole suitability hearing for Mr. Brodheim on December 1, 2010.

4 Accordingly, Mr. Brodheim respectfully requests this Court enter the
5 order lodged herewith vacating the deadline for the filing of the
6 traverse (CR #17), and setting a deadline for the filing of a joint
7 status report within seventy-five (75) days of the date of the order. On
8 November 4, 2010, the undersigned spoke with counsel for respondent,
9 Deputy Attorney General Pamela B. Hooley, who graciously indicated that
10 she had no objection to this request.

11 Dated: November 4, 2010

12 Respectfully submitted,

13 DANIEL J. BRODERICK
14 Federal Defender

15 /s/ David M. Porter
16 DAVID M. PORTER
17 Assistant Federal Defender

18 Attorney for Petitioner
19 MICHAEL J. BRODHEIM

20 **ORDER**

21 Having reviewed the unopposed request of petitioner, and good cause
22 appearing therefor, it is hereby ORDERED that the order setting the
23 deadline for the filing of the traverse (CR #17) is VACATED. The parties
24 shall file a joint status report within seventy-five (75) days from the
25 service of this order.

26 DATED: November 9, 2010

27 
28 **CRAIG M. KELLISON**
UNITED STATES MAGISTRATE JUDGE