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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK DIXON,
Petitioner,
v.
JAMES YATES,
Respondent.

No. 2:10-cv-0631 JAM AC P

PROTECTIVE ORDER

This habeas corpus case is set for evidentiary hearing on August 3, 2015. Discovery of trial attorney file materials shall be governed by the procedure set forth at ECF No. 63, and any and all materials produced shall be subject to this Protective Order.

For purposes of the evidentiary hearing and preparation for the evidentiary hearing, all discovery of trial attorney file materials granted to respondent shall be deemed to be confidential. In any event, documents and materials produced from the trial counsel files (hereinafter “documents”) may be used only by counsel for respondent, other representatives from the Office of the California Attorney General, and persons working under their direct supervision (including expert consultants), and only for purposes of any proceedings incident to litigating the claim(s) presented in the petition for writ of habeas corpus pending before this Court.


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1 Disclosure of the contents of the documents and the documents themselves may not be
2 made to any other persons or agencies, including any other law enforcement or prosecutorial
3 personnel or agencies, without an order from this Court. The communications and materials may
4 not be used, cited, or relied upon by the state in any other proceedings against petitioner,
5 including any future retrial. This order extends to respondent and all persons acting on behalf of
6 respondent in this proceeding, including but not limited to persons employed by the Office of the
7 California Attorney General, persons working on this matter who are employed by California
8 governmental divisions other than the Attorney General, persons retained by respondent for any
9 investigative or consulting work on this matter, and any expert consultants or witnesses assisting
10 respondent.

11 This order shall continue in effect after the conclusion of the habeas corpus proceedings
12 and specifically shall apply in the event of a retrial of all or any portion of petitioner's criminal
13 case, except that either party maintains the right to request modification or vacation of this order
14 upon entry of final judgment in this matter.

15 IT IS SO ORDERED.

16 DATED: June 22, 2015

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18 ALLISON CLAIRE
19 UNITED STATES MAGISTRATE JUDGE
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