UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA No. 2:11-cv-2710 JKS KJN P (TEMP) JESSICA HOLMES, Petitioner. **ORDER** v. DEBORAH K. JOHNSON, Warden, Respondent. Petitioner is a state prisoner, proceeding through counsel, with a petition for a writ of

Petitioner is a state prisoner, proceeding through counsel, with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. An evidentiary hearing is set in this matter on August 22, 2016, on petitioner's claim that her trial counsel rendered ineffective assistance during the plea bargain process. On March 30, 2016, this court issued an order which, among other things, proposed a protective order to be issued in connection with the production of discovery in this case. The parties have stipulated to the issuance of the court's proposed protective order.

Accordingly, IT IS ORDERED that for purposes of the habeas corpus litigation in this matter, including the scheduled evidentiary hearing, all privileged communications or materials obtained by the Office of the California Attorney General from the file of petitioner's trial counsel shall be deemed confidential. Until such time as this court may order otherwise, these communications or materials may be used only by representatives of the Office of the California Attorney General and only for purposes of preparation and conduct of the August 22-23, 2016

evidentiary hearing. Disclosure of the contents of the communications or materials themselves may not be made to any other persons or agencies, including any other law enforcement or prosecutorial personnel or agencies, without an order from this court. The communications and materials may not be used, cited, or relied upon by the Office of the California Attorney General in any habeas corpus or other related proceedings in federal court, or in any future proceedings against petitioner, including any possible retrial. This order shall continue in effect after the conclusion of the habeas corpus proceedings and specifically shall apply in the event of a retrial of all or any portion of petitioner's criminal case, except that either party maintains the right to request modification or vacation of this order upon entry of final judgment in this matter.

UNITED STATES MAGISTRATE JUDGE

Dated: June 8, 2016

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