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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JESSICA HOLMES,
Petitioner,
v.
DEBORAH K. JOHNSON, Warden,
Respondent.

No. 2:11-cv-2710 JKS KJN P (TEMP)

ORDER

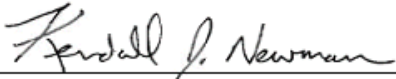
Petitioner is a state prisoner, proceeding through counsel, with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. An evidentiary hearing is scheduled in this matter on August 22, 2016, on petitioner’s claim that her trial counsel rendered ineffective assistance during the plea bargain process.

On July 29, 2016, petitioner filed a motion requesting permission to conduct the deposition of Steve White, the state court judge who presided over petitioner’s trial. After a review of the motion, the court does not find good cause to order the discovery sought by petitioner. The motion reflects that Judge White informed petitioner’s current counsel that all of his communications with petitioner were in “open court, in the presence of all counsel and on the record.” ECF No. 79 at 3. Thus, whether or not petitioner was informed by the trial judge that she faced a sentence of life without parole will appear on the state court record. The undersigned expects the relevant record to be filed by the parties in connection with the evidentiary hearing.

1 The August 22, 2016 date set for that hearing is hereby confirmed.

2 Accordingly, IT IS ORDERED that petitioner's motion requesting permission to conduct
3 the deposition of Hon. Steve White (ECF No. 79) is denied.

4 Dated: August 2, 2016

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KENDALL J. NEWMAN
7 UNITED STATES MAGISTRATE JUDGE

8 KJN:holmes2710.o(3);dmou8(2)

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