


1 “assist this Court in making findings of fact concerning petitioner’s allegations.” ECF No. 83 at
2 3.

3 After careful review, the court does not find good cause to order expansion of the record
4 to include the documents attached to petitioner’s motion to expand. The attached materials are
5 beyond the scope of the limited remand issued by the Ninth Circuit in this case. As petitioner’s
6 current counsel has previously been advised, he will be granted limited leeway at the evidentiary
7 hearing to explore the content of trial counsel’s conversations with petitioner about the
8 advisability of accepting or rejecting the prosecution’s plea offer. (ECF No. 62.) If testimony at
9 the evidentiary hearing warrants further discovery on the issues before the court, petitioner may
10 file a renewed motion for discovery after the evidentiary hearing has concluded. However, the
11 court remains skeptical that further testimony will expand the scope of the limited issue on
12 remand, as specified by the Ninth Circuit.

13 Accordingly, IT IS ORDERED that petitioner’s August 2, 2016 request to expand the
14 record (ECF No. 83) is denied. The court will not entertain any further motions filed by either
15 party prior to the evidentiary hearing on August 22, 2016, absent extraordinary circumstances.
16 Dated: August 4, 2016

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19 KENDALL J. NEWMAN
20 UNITED STATES MAGISTRATE JUDGE

21 KJN:holmes2710.o(4)
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