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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT EDWARD MAURY,

Petitioner,

No. CIV S-12-1043 WBS DAD

vs.

DEATH PENALTY CASE

WARDEN, San Quentin State  
Prison

Respondent.

ORDER

The parties have submitted a joint case management statement in which the reflect their agreement upon dates for the filing of the answer, reply, and any sur-reply in this action. (Dkt. No. 27.) The court finds these proposed dates to be reasonable. Accordingly, and good cause appearing, IT IS HEREBY ordered as follows:

1. By March 13, 2013, respondent shall file a status report advising the court of his progress on the preparation of his answer.

2. By May 13, 2013, respondent shall file an answer. In addition to meeting the requirements of Rule 5, Rules Governing Section 2254 Cases, respondent shall include in the answer points and authorities addressing: (a) any allegations that petitioner’s claims are not exhausted, and (b) the application of 28 U.S.C. § 2254(d) to each of petitioner’s claims.

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3. By November 13, 2013, petitioner shall file a reply.

4. By December 13, 2013, respondent shall file a status report to advise the court whether he intends to file a sur-reply. If he does, the sur-reply shall be filed by February 13, 2014. If he does not, the court will schedule a status conference at that time.

5. By January 13, 2013, petitioner's counsel shall file under seal a proposed budget for their time anticipated to be expended from October 25, 2012 through the filing of the reply.

6. The case management conference set for December 13, 2012 is vacated. Counsel's requests to appear telephonically at that status conference are dismissed as moot. (Dkt. Nos. 26 and 28.)

DATED: December 10, 2012.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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