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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 RUDOLPH SUMMERFIELD,

12 Petitioner,

13 v.

14 V. SINGH,

15 Respondent.
16

No. 2:12-cv-1953 GEB DAD P

ORDER

17 Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus
18 pursuant to 28 U.S.C. § 2254.

19 This court previously granted respondent's request to defer briefing in this matter and
20 issued an order requesting that the California Court of Appeal for the Third Appellate District
21 transmit copies of petitioner's Marsden hearing transcripts to this court for filing under seal. This
22 court has now received copies of the requested transcripts.

23 Good cause appearing, IT IS HEREBY ORDERED that:

24 1. The Clerk of the Court is directed to:

25 a. File the March 30, 2009, May 1, 2009, and October 7, 2009, Marsden hearing
26 transcripts under seal;

27 b. Send petitioner one copy of the March 30, 2009, May 1, 2009, and October 7,
28 2009, Marsden hearing transcripts; and

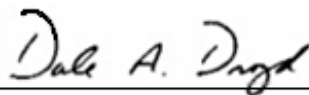
1 c. Send respondent one copy of the March 30, 2009, May 1, 2009, and October 7,
2 2009, Marsden hearing transcripts¹;

3 2. Respondent is directed to file a response to petitioner's habeas petition within sixty
4 days from the date of this order. See Rule 4, 28 U.S.C. foll. § 2254. An answer shall be
5 accompanied by all transcripts and other documents relevant to the issues presented in the
6 petition. See Rule 5, 28 U.S.C. foll. § 2254;

7 3. If the response to the habeas petition is an answer, petitioner's reply, if any, shall be
8 filed and served within thirty days after service of the answer; and

9 4. If the response to the habeas petition is a motion, petitioner's opposition or statement
10 of non-opposition to the motion shall be filed and served within thirty days after service of the
11 motion, and respondent's reply, if any, shall be filed and served within fourteen days thereafter.

12 Dated: August 5, 2014

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14 DALE A. DROZD
15 UNITED STATES MAGISTRATE JUDGE

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27 ¹ By raising issues in connection with those proceedings in his federal habeas petition pending
28 before this court, petitioner has waived any right he may have had to keep those proceedings
sealed with respect to respondent's counsel.