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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER,

 Petitioner,

 v.

WILLIAM MUNIZ, Warden,

 Respondent.

No. 2:13-cv-00454 WBS AC P

ORDER

Petitioner is a state prisoner, proceeding with appointed counsel, in this habeas corpus action filed pursuant to 28 U.S.C. § 2254. This action proceeds on petitioner’s Second Amended Petition. See ECF No. 54. By order filed August 9, 2016, this court directed petitioner to file his traverse within thirty days after the California Supreme Court rules on his petition for review in People v. Turner, California Supreme Court Case No. S232272. See ECF No. 75. That case remains pending in the California Supreme Court.¹

¹ The California Supreme Court is holding Case No. S232272 pending a final decision in lead case People v. Martinez, California Supreme Court Case No. S231826. The California Supreme Court filed a decision in Martinez on March 29, 2018, but a petition for rehearing or modification remains pending. These matters are set forth on the respective dockets for these cases, available on the Case Information website operated by the California Courts. See <http://appellatecases.courtinfo.ca.gov/search>. This court may take judicial notice of its own records and the records of other courts. See United States v. Howard, 381 F.3d 873, 876 n.1 (9th Cir. 2004); United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980); see also Fed. R. Evid. 201 (court may take judicial notice of facts that are capable of accurate determination by sources whose accuracy cannot reasonably be questioned).

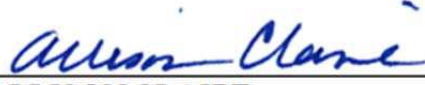
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On April 18, 2018, another judge in this district construed a pro se habeas petition filed by petitioner in another case as a motion to amend the operative petition in this case. See ECF No. 76. The undersigned will not entertain a pro se motion to amend in this case, as petitioner is represented by counsel. “A person represented by an attorney cannot file pro se motions.” United States v. Gallardo, 915 F. Supp. 216, 218 n.1 (D. Nev. 1995), aff’d, 92 F.3d 1194 (9th Cir. 1996).

Accordingly, IT IS HEREBY ORDERED that petitioner’s pro se motion to amend, ECF No. 76, is DENIED.

SO ORDERED.

DATED: April 19, 2018



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE