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

MICHAEL EUGENE JASTRAUB,

Petitioner,

v.

RON BARNES, Warden,

Respondent.

Case No. 2:13-cv-01036-DAD
ORDER

Respondent has requested a deferral of briefing and an order regarding state court Marsden Hearing transcripts. It appears that transcripts of the in camera hearings held in petitioner’s underlying criminal proceedings pursuant to People v. Marsden, 2 Cal. 3d 118 (1970), on March 6, 2009 and October 1, 2009, in the Sacramento County Superior court may be relevant and necessary to consider in addressing petitioner claims for habeas relief presented in the petition pending before this court.

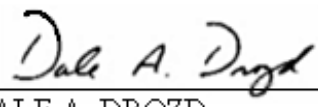
Good cause appearing, IT IS HEREBY ORDERED that:

1. The Sacramento County Superior Court is requested to transmit copies of petitioner’s Marsden hearing transcripts to this Court for filing under seal;
2. Respondent shall forth deliver a copy of this order to the Sacramento County Superior Court; and

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3. Further briefing in this Court is deferred pending this Court's receipt of the transcript, or until further order of this Court.

Dated: January 14, 2014



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

/jast1036.111brief