

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

SARAH WEEDEN,

Petitioner,

vs.

DEBORAH K. JOHNSON, Warden,
Central California Women's Facility,

Respondent.

No. 2:13-cv-02667-JKS

ORDER

This Court denied habeas relief and a certificate of appealability to Sarah Weeden, a state prisoner represented by counsel. Docket Nos. 15, 16. On appeal, the Ninth Circuit issued an order dated April 21, 2017, conditionally granting Weeden habeas relief on her ineffective assistance of counsel claim and remanding her case to this Court. Docket No. 23. The mandate of the Ninth Circuit issued on June 7, 2017. Docket No. 24.

This Court granted the petition on remand, and ordered that Weeden be released from custody unless the state commenced proceedings to retry her within 60 days of the July 14, 2017, order. Docket No. 31. In response to a Court order, the state indicated that it intended to retry Weeden. Docket No. 28. This Court is unclear of the status of this case and whether further proceedings are required in this Court.

IT IS THEREFORE ORDERED THAT, by January 26, 2018, the parties shall each file a status report indicating whether this case should remain open in this Court.

Dated: January 11, 2018.

/s/James K. Singleton, Jr. _____
JAMES K. SINGLETON, JR.
Senior United States District Judge