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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN T. CARIDAD,
Petitioner,
v.
HARRY OREOL,
Respondent.

No. 2:14-cv-1847 KJM AC P

ORDER

In this habeas corpus action filed pursuant to 28 U.S.C. § 2254, petitioner challenges his civil commitment to the Department of State Hospitals under California’s Mentally Disordered Offender Act, California Penal Code §§ 2960 et seq. The parties’ respective motions – respondent’s motion to dismiss (ECF No. 88) and petitioner’s motion for an evidentiary hearing (ECF No. 93) – were addressed by the court at a hearing held March 7, 2018. Petitioner was represented by court-appointed counsel, Mr. Marylou Hillberg; respondent was represented by California Deputy Attorney General David Eldridge.

For the reasons stated by the undersigned at the hearing, IT IS HEREBY ORDERED that:

1. Petitioner’s motion for an evidentiary hearing (ECF No. 93) is granted, subject to the schedule set forth below.
2. Respondent’s motion to dismiss (ECF No. 88) shall remain pending until the conclusion of the evidentiary hearing.

