

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RACARDO JACKSON,  
  
                                    Petitioner,  
  
                    v.  
  
WARDEN OF CALIFORNIA STATE  
PRISON, SOLANO,  
  
                                    Respondent.

No. 2:14-cv-2268-MCE-EFB (TEMP) P

ORDER

Petitioner, a state prisoner proceeding through counsel, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254.

In this case, petitioner challenges a judgment of conviction for second-degree murder with a firearm enhancement entered on August 26, 2010, by the Solano County Superior Court. According to the form petition, the superior court sentenced petitioner to 55 years to life in state prison. In his petition, petitioner claims that his constitutional rights were violated at his trial as a result of: (1) juror misconduct; (2) prejudicial exclusion of the victim’s prior violence; (3) prejudicial admission of Officer Shaffer’s testimony; (4) error under *Doyle v. Ohio*; (5) prosecutorial misconduct; and (6) cumulative error under *Chapman v. California*. (Pet. & Statement of Grounds/Brief in Support.)

////

1           On September 17, 2015, the court granted Attorney Chan's motion to withdraw as  
2 petitioner's counsel of record. On the following day, the court appointed the Federal Defender  
3 for the Eastern District of California to represent petitioner. On October 9, 2015, the court  
4 substituted Attorney Michael Bigelow as appointed counsel for petitioner in place of the Federal  
5 Defender. At this time, the court will order a joint status report in the case.

6           In accordance with the above, IT IS HEREBY ORDERED that within thirty days of this  
7 order, the parties shall file a joint status report, which addresses the following matters:

- 8           a. Whether petitioner will stand on the existing petition.
- 9           b. Whether the parties anticipate filing any motions.
- 10          c. Whether the parties anticipate a need to conduct discovery.
- 11          d. Whether the parties anticipate a need for an evidentiary hearing.

12          Upon receipt of the joint status report, the court will determine whether and when a status  
13 conference is necessary.

14          DATED: April 29, 2016.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE