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Federal Defender
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Attorneys for Petitioner
DENNIS N. ERVINE

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

DENNIS NEWTON ERVINE,)	Case No. 2:15-cv-01916-TLN-DB
)	
Petitioner,)	STIPULATION AND [PROPOSED] ORDER
)	TO CONTINUE HEARING ON MOTION FOR
v.)	STAY AND ABEYANCE
)	
WARDEN of San Quentin State Prison,)	Current Date: December 15, 2017
)	Proposed Date: January 5, 2018
Respondent.)	Time: 10:00 a.m.
)	Judge: Hon. Deborah Barnes
_____)	Courtroom: 27

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, MAX FEINSTAT, Deputy Attorney General, attorney for Respondent, and DAVID HARSHAW, Assistant Federal Defender, attorney for Petitioner DENNIS ERVINE, that the Court vacate the hearing date of December 15, 2017, and set a new hearing date on January 5, 2018 at 10:00 a.m.

The continuance is being requested because Mr. Harshaw, newly assigned counsel for Petitioner, will be out of town on vacation on December 15, 2017.

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Dated: November 14, 2017

HEATHER E. WILLIAMS
Federal Defender

/s/ DAVID HARSHAW
DAVID HARSHAW
Assistant Federal Defender
Attorney for Defendant
DENNIS N. ERVINE

DATED: November 14, 2017

XAVIER BECERRA
Attorney General of California

/s/ MAX FEINSTAT
MAX FEINSTAT
Deputy Attorney General
Attorney for Respondent

ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing therefrom, adopts the stipulation of the parties in its entirety as its order.

The Court orders that the December 15, 2017 hearing shall be continued to January 5, 2018 at 10:00 a.m.

DATED: November 14, 2017

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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DB/orders.capital/ervine.mot for stay hrg.eot