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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS NEWTON ERVINE,  
Petitioner,  
v.  
WARDEN, San Quentin State Prison,  
Respondent.

No. 2:15-cv-1916 TLN DAD  
DEATH PENALTY CASE  
ORDER

The Selection Board has recommended appointment of counsel for petitioner. Good cause appearing, IT IS HEREBY ORDERED as follows:

1. The Office of the Federal Defender, Capital Habeas Unit, is appointed to represent petitioner pursuant to 18 U.S.C § 3599. See Local Rule 191(c).
2. On October 16, 2015 at 9:30 a.m., the undersigned will hold a case management conference. Petitioner’s counsel shall appear in person and shall be prepared to discuss the due date for filing the federal habeas petition. Respondent’s counsel shall be prepared to discuss setting a date for lodging the state court record as described in Local Rule 191(h)(1), as well as a date for filing the answer or other responsive pleading. In addition, counsel shall be prepared to discuss whether points and authorities addressing petitioner’s satisfaction of 28 U.S.C. § 2254(d) should be included in the pleadings.

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3. The Clerk of the Court is directed to file under seal the Selection Board's September 14, 2015 letter to the undersigned.

4. In addition to serving this order upon counsel, the Clerk is directed to serve it upon Kurt Heiser, CJA Administrator, Office of the Federal Defender for the Eastern District of California.

Dated: September 21, 2015

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

Ervine cmc1.or