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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD W. DEMARTHRA, Jr.,
Petitioner,
v.
PEOPLE OF THE STATE OF CALIFORNIA,
Respondent.

No. 2:16-cv-00790 TLN AC P

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 28, 2017, respondent submitted an answer to the petition. ECF No. 19. On August 14, 2017, respondent filed a notice of filing document(s) in paper. ECF No. 20. The court has reviewed the lodged documents and determined they are deficient in one respect.

Rather than submitting a copy of the California Supreme Court’s order, respondent filed a copy of that court’s docket sheet which indicates that petitioner’s petition for review was denied on February 11, 2015. Lodged Doc. 9. A docket sheet may be competent evidence of the date that an order was filed, but it does not conclusively establish the contents of the order it references and is not a permissible substitute. The undersigned does not consider a docket sheet to be an appropriate basis for review of a state court adjudication under § 2254. Accordingly,

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1 respondent should submit within fourteen days a copy of the California Supreme Court's
2 February 11, 2015 order denying the petition for review.

3 SO ORDERED.

4 DATED: August 18, 2017

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6 ALLISON CLAIRE
7 UNITED STATES MAGISTRATE JUDGE
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