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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFERY JOHN MILLS,  
Petitioner,  
v.  
RONALD DAVIS,  
Respondent.

No. 2:17-cv-2195 WBS DB  
DEATH PENALTY CASE  
ORDER

The undersigned held a case management conference on February 23, 2018. Assistant Federal Defenders Deborah Czuba and Christopher Sanchez participated by telephone for petitioner. Deputy Attorneys General Sally Espinoza and Kenneth Sokoler appeared for respondent. Petitioner’s counsel informed the court that the statute of limitations for filing the habeas petition will expire on September 14, 2018. Respondent’s counsel requested 90 days to lodge the state court record electronically.

Accordingly, and good cause appearing, IT IS HEREBY ORDERED as follows:

1. On or before September 13, 2018, petitioner shall file the petition pursuant to 28 U.S.C. § 2254. References to the state court record in the petition shall use the identification system set out in the Notice of Lodging, described below. Each reference shall thus include the docket number for the Notice of Lodging, the attachment number, and the Bate-stamp numbers followed, in parentheses, by the abbreviated name of the volume of the record and any internal pagination.

1 For example, if the Notice of Lodging appears as electronic court filing number 40 and the first  
2 attachment is the first 300 pages of the Clerk’s Transcript on Appeal, the citation form would be  
3 “ECF No. 40-1, AG00001-AG00300 (CT 1-300)). The petition need not include points and  
4 authorities regarding the application of 28 U.S.C. § 2254(d).

5 2. Based on the size of the record in this case, the court finds good cause for respondent's  
6 request to lodge the state court record within 90 days. By May 24, 2018, respondent shall file a  
7 Notice of Lodging and lodge with the court the state court record as set out below.

8 a. The lodged record shall meet the following requirements:

9 (i) It shall contain (a) transcripts of the state trial court proceedings; (b)  
10 appellant's and respondent's briefs on direct appeal to the California Supreme Court, and the  
11 opinion or orders of that Court; and (c) petitioner's and respondent's briefs in any state court  
12 habeas corpus proceedings, and all opinions, orders and transcripts of such proceedings.

13 (ii) The entire record shall be Bate-stamped. Bate-stamp numbering shall  
14 be in the format AG00001, AG00002, etc. to distinguish it from other numbering systems in the  
15 record.

16 (iii) The entire record shall be scanned.

17 (iv) The entire record shall be converted to an OCR format.

18 (v) State sealed documents shall be lodged in paper form.

19 b. The Notice of Lodging shall be filed on the court’s electronic filing system.

20 Each item of the state court record shall be lodged as an attachment to the Notice of Lodging. For  
21 each separate attachment, the Notice of Lodging shall identify the attachment number, the Bate-  
22 stamp numbers, and the name of that part of the record, including its internal pagination, if any.

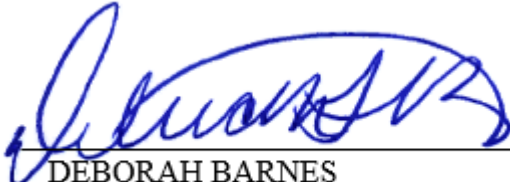
23 For example, the attachment identified above in paragraph 1 would be listed in the Notice of  
24 Lodging as: “Attachment #1, AG00001-AG00300 (CT 1-300).” The identical identifying  
25 information shall also be included as the docket title of each electronically lodged attachment to  
26 the Notice of Lodging. To the extent possible, each separate paper volume of the state court  
27 record shall be lodged as one attachment.

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3. After the petition is filed, the court will hold a case management conference to discuss whether the petition contains unexhausted claims and to set any due dates for the filing of an answer and/or other briefing as may be deemed appropriate by the court at that time after consulting with counsel.

Dated: February 27, 2018



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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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