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1 2 3 5 UNITED STATES DISTRICT COURT 6 FOR THE NORTHERN DISTRICT OF CALIFORNIA 7 SAN FRANCISCO HEADQUARTERS 8 TROY A. ASHMUS, Case Number 3:93-cv-00594-TEH 9 Petitioner, **DEATH PENALTY CASE 10** PROPOSED] ORDER SCHEDULING POSTv. 11 **HEARING BRIEFING** MICHAEL MARTEL, Acting Warden of 12 California State Prison at San Quentin, 13 Respondent. 14 PURSUANT TO STIPULATION, the parties are ordered: 15 1. On or before April 15 2011, Petitioner will file Petitioner's Opening Brief on Claim **16** Seven. On or before June 15, 2011, Respondent will file Respondent's Brief on Claim Seven. On or **17** before July 15, 2011, Petitioner will file the Petitioner's Reply Brief, if any, on Claim Seven. 18 Following the submission of briefing, the Court will schedule oral argument on Claim Seven. 19 2. On or before June 15, 2011, Petitioner will file Petitioner's Opening Brief on Claims 20 Four and Five. On or before August 15, 2011, Respondent will file Respondent's Brief on Claims 21 Four and Five. On or before September 15, 2011, Petitioner shall file the Petitioner's Reply Brief on 22 Claims Four and Five. Following the submission of briefing, the Court will schedule oral argument 23 on Claims Four and Five. 24 It is so ordered. 25 **26** 04/04 . 2011 Dated: _ **27** Judge Thelton E. Henderson 28 STIPULATION AND [PROPOSED] ORDER AMENDING POST-HEARING BRIEFING SCHEDULE Ashmus v. Martel, No. 3:93-cv-00594-TEH

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