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9 Attorneys for Petitioner Carpenter

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 11 UNITED STATES DISTRICT COURT FOR THE
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO

| | | |
|----------------------------------|---|---------------------------------|
| 14 DAVID J. CARPENTER, |) | No. C 98-2444 MMC |
| |) | No. C 00-3706 MMC |
| 15 Petitioner, |) | |
| |) | |
| 16 vs. |) | DEATH PENALTY CASES |
| |) | |
| 17 ROBERT L. AYERS, Jr., Warden |) | PROPOSED |
| of San Quentin State Prison, |) | ORDER SHORTENING TIME re |
| |) | MOTION FOR STAY OF |
| 18 Respondent. |) | COMPETENCY EVALUATION |
| |) | PENDING APPEAL |

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 21 On unopposed motion of Petitioner, and good cause appearing, IT IS ORDERED:

22 The motion to shorten time is granted with respect to the Petitioner's motion for stay of
 23 competency evaluation pending appeal.


24 Respondent may serve and file a response to the motion for stay of competency
 25 evaluation pending appeal by m., September 9 , 2008.

26 Petitioner may serve and file a reply in support of the motion for stay of competency
 27 evaluation pending appeal by m., September 11 , 2008.

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The Court may determine the motion for stay on the written papers without an oral hearing.

Signed September 5, 2008.



MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE