

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID J. CARPENTER,
Petitioner,

v.

RON DAVIS, Warden of California State
Prison at San Quentin,
Respondent.

Case No. [98-cv-02444-MMC](#)

**ORDER SCHEDULING BRIEFING FOR
GROUP 5 CLAIMS**

Re: Dkt. No. 252

DEATH PENALTY CASE


The Court having read and considered the parties' "Consolidated Statement Re Group 5 Scheduling," petitioner's request to postpone briefing for the Group 5 claims in the above-titled case until after the parties have briefed the Group 5 claims in related Case No. 00-cv-3706 is hereby **DENIED**. Petitioner has not shown such postponement is necessary or that it would benefit the Court's analysis of the claims in the above-titled case, as each case involves a different jury and distinct instances of alleged juror misconduct.

The Court hereby adopts the parties' proposed briefing schedule (see Consolidated Statement, filed May 25, 2018 at 4):

1. Respondent shall file his opening brief within 120 days of the date of this Order;
2. Petitioner shall file his response within 90 days after the opening brief is filed;
3. Respondent shall file any reply brief within 30 days after Petitioner's response is filed.

IT IS SO ORDERED.

DATED: June 7, 2018


MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE