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2 IN THE UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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5  
6 RON MOSLEY,

7 Petitioner,

8 v.

9 VINCENT CULLEN,

10 Respondent.

NO. C05-4260 TEH

ORDER GRANTING IN PART  
MOTION TO SHORTEN TIME  
ON RESPONDENT'S MOTION  
TO REVOKE BAIL

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12 The Court has reviewed all of the papers submitted regarding Respondent's motion to  
13 shorten time on his motion to revoke Petitioner Ron Mosley's bail and now GRANTS IN  
14 PART the motion to shorten time.

15 Respondent's motion for bail revocation appears to have merit given that, on  
16 January 31, 2011, the Ninth Circuit withdrew its November 24, 2010 opinion reversing this  
17 Court and ordering Mosley's release. Thus, the procedural posture of this case is now the  
18 same as it was when this Court denied Mosley's first motion for bail on December 16, 2008:  
19 namely, this Court has denied Mosley's petition for writ of habeas corpus, and that order  
20 remains unresolved on appeal to the United States Court of Appeals for the Ninth Circuit.  
21 The Court also agrees with Respondent that declarations concerning Mosley's performance  
22 while on bail are irrelevant to the present motion, and additional time to prepare such  
23 declarations is therefore not warranted.

24 However, to ensure that Mosley has a full and fair opportunity to oppose bail  
25 revocation, the Court will GRANT IN PART Respondent's motion to shorten time. The  
26 Court does not find Respondent's proposed one-week schedule to be sufficient, but neither  
27 does it find the regular briefing and hearing notice schedule to be warranted. Instead, the  
28 Court finds good cause to order the following schedule:

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1. Mosley shall file an opposition to Respondent's motion to revoke bail on or before **February 15, 2011.**

2. Respondent shall file his reply on or before **February 22, 2011.**

3. Unless both parties waive a hearing, this matter shall be heard before this Court on **February 28, 2011, at 10:00 AM.**

**IT IS SO ORDERED.**

Dated: 02/09/11

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT