

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HAROLD HARVEY HAWKS,

Petitioner

No. C 07-00366 JSW

v.

**ORDER REQUESTING  
SUPPLEMENTAL BRIEFING**

A.P. KANE,

Respondent.

---

A recent en banc decision from the Ninth Circuit addressed important issues relating to federal review of parole decisions in California. *See Hayward v. Marshall*, No. 06-55392, 2010 WL 1664977 (9<sup>th</sup> Cir. Apr. 22, 2010) (en banc). The Court HEREBY ORDERS the parties to submit supplemental briefs (not to exceed 12 pages in length) explaining their reviews on how the *Hayward* en banc decision applies to this parole denial habeas case. The Court HEREBY ORDERS the following briefing schedule:

1. By no later than June 14, 2010, Respondent shall file a supplemental brief on the impact of *Hayward* on this action.
2. By no later than June 28, 2010, Petitioner shall file a supplemental brief on the impact of *Hayward* on this action.

**IT IS SO ORDERED.**

Dated: May 11, 2010

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE