

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUKE E. OLIVER,

No. C 07-2233 MHP (pr)

Petitioner,

**ORDER PERMITTING
SUPPLEMENTAL BRIEFS**

v.

ROBERT AYERS, warden,

Respondent.

A recent en banc decision from the Ninth Circuit addressed important issues relating to federal review of parole decisions, Hayward v Marshall, No. 06-55392, 2010 WL 1664977 (9th Cir. April 22, 2010) (en banc). The court will provide the parties an opportunity to submit supplemental briefs (not to exceed **15 pages** in length) explaining their views of how the Hayward en banc decision applies to this parole denial habeas case. The court sets the following schedule:

1. No later than **May 10, 2010**, respondent must send to petitioner a copy of the Hayward en banc decision.
2. No later than **May 28, 2010**, respondent must file and serve any supplemental brief on the impact of Hayward on this action.
3. No later than **July 2, 2010**, petitioner must file and serve any supplemental brief on the impact of Hayward on this action.

IT IS SO ORDERED.

DATED: April 28, 2010



Marilyn Hall Patel
United States District Judge