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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RON MOSLEY
 Petitioner,
 v.
 MICHAEL MARTEL,
 Respondent.

NO. C09-1749 TEH

**STIPULATION AND [PROPOSED]
 ORDER**

RON MOSLEY
 Petitioner,
 v.
 MICHAEL MARTEL,
 Respondent.

NO. C10-4907 TEH

STIPULATION AND [PROPOSED] ORDER

1 Pursuant to the Court's July 14, 2011 Order Staying Cases (Dkt #17 (N.D. Cal. Case
2 No. C09-1749 TEH); Dkt #11 (N.D. Cal. Case No. C10-4907 TEH)), Petitioner Ron Mosley
3 and Respondent Michael Martel (together, the "Parties") jointly submit this stipulation
4 concerning further briefing in the above-captioned matters.

5 WHEREAS, the Court's Order of July 14, 2011 stayed the above-captioned matters
6 and required the parties to file stipulated briefing schedules within 14 days of the issuance
7 of the mandate in Mosley's Ninth Circuit Appeal challenging his 2005 denial of parole,
8 *Mosley v. Oroski*, Nos. 08-15327 and 08-15389 ("Ninth Circuit Appeal");

9 WHEREAS, the mandate in Mosley's Ninth Circuit Appeal issued on January 18,
10 2012;

11 WHEREAS, Respondent agreed that Mosley would remain released on bail
12 pending the decision of a not-in-custody parole hearing scheduled for February 23, 2012;

13 WHEREAS the Board of Parole Hearings ("Board") found Mosley suitable for
14 parole at the February 23, 2012 not-in-custody hearing, and Mr. Mosley thus remains on
15 release; and

16 WHEREAS the Board's decision shall become final on June 22, 2012, pursuant to
17 California Penal Code § 3041(b);

18 WHEREAS, if the Board's decision to grant Mr. Mosley parole becomes final, the
19 Governor shall have until July 23, 2012 to review the Board's decision, pursuant to
20 California Penal Code § 3041.2;

21 NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their
22 respective counsel of record, that by August 3, 2012, the parties shall meet and confer and
23 file stipulated briefing schedules in these cases or, alternatively, stipulations to dismiss on
24 mootness or other grounds.

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1 Dated: March 8, 2012

2 BOIES, SCHILLER & FLEXNER LLP

3 By: /s/

By: /s/

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11 Pursuant to General Order No. 45, § X-B, the filer attests that concurrence in the
12 filing of this document has been obtained from each of the above signatories.
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~~PROPOSED~~ ORDER

Having considered the parties' March 8, 2012 stipulation, and for good cause shown, it is hereby ORDERED that the above-captioned matters shall remain stayed. By **August 3, 2012**, the parties shall submit a stipulation setting a schedule for further briefing or dismissing the above-captioned matters.

IT IS SO ORDERED.

Dated: 03/08, 2012

