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

KLEE CHRISTOPHER ORTHEL,

No. C 10-03612 SI

Plaintiff,

ORDER

v.


JAMES A. YATES,

Defendant.

On December 17, 2010, respondent Yates filed a motion to dismiss this habeas corpus petition. The parties agreed that the motion should be held in abeyance until petitioner Orthel received certain requested health records. On February 15, 2011, the Court ordered petitioner to file a supplemental opposition brief to respondent's motion to dismiss 30 days after receiving the requested records. The Court also noted that if petitioner did not receive the records by March 27, 2011, he could request the assistance of the Court to obtain the records. Petitioner has not filed a supplemental brief or a request for assistance. Therefore, petitioner is hereby ORDERED to submit a written update to the Court **by 5:00 p.m. on May 27, 2011** regarding the status of his records request, and the anticipated date by which he will submit a supplemental brief.

IT IS SO ORDERED.

Dated: May 17, 2011



SUSAN ILLSTON
United States District Judge