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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JORGE RICO,

Petitioner,

v.

G. D. LEWIS, Warden,

Respondent.

No. C-12-6127 EMC (pr)

**ORDER GRANTING IN PART
RESPONDENT'S REQUEST
REGARDING EXCERPTS OF RECORD****(Docket No. 30)**

On March 23, 2014, the Court denied Petitioner's petition for a writ of habeas corpus and granted a certificate of appealability. On March 31, 2014, Petitioner filed a notice of appeal. Petitioner requested photocopies of the "excerpts of record" in which he requested the entire clerk's transcript and reporter's transcript. On May 30, 2014, the Court ordered Respondent to forward to Petitioner a copy of the exhibits he requested.

On June 2, 2014, Respondent filed a Response to the Court's May 30, 2014 Order in which Respondent requested the Court amend its Order so that he would be required to serve on Petitioner only those portions of the state court record cited by the parties in their briefs and by the Court in its Order denying habeas relief. Respondent also requests that he be allowed to delay forwarding the excerpts of record to Petitioner because the Ninth Circuit may appoint counsel to represent Petitioner on appeal.

The Court grants Respondent's request, in part. It denies the request for delay but amends its Order so that Respondent is required to forward to Petitioner only those portions of the state record

1 cited by the parties and by the Court. Respondent must forward these materials to Petitioner within
2 twenty-one days from the date of this Order.

3 This order terminates Docket No. 30.

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5 IT IS SO ORDERED.

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7 Dated: June 23, 2014

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9 EDWARD M. CHEN
United States District Judge

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