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IN THE UNITED STATES DISTRICT COURT SEP 20 2013
NORTHERN DISTRICT OF CALIFORNIA

MAURICE BOYETTE,
Petitioner,
v.

Case No.: 3:13cv4376-WHO

DEATH PENALTY CASE
NO EXECUTION DATE SET

KEVIN CHAPPELL, Warden of
California State Prison at
San Quentin,
Respondent

[PROPOSED] ORDER STAYING
EXECUTION OF DEATH SENTENCE AND
REFERRING THE MATTER TO THE
SELECTION BOARD FOR SUGGESTION OF
APPOINTED COUNSEL

Upon request of petitioner, and pursuant to Local Rules 2254-25
(a), (b) and (c),

IT IS HEREBY ORDERED that the execution of petitioner's sentence
of death and all court and other proceedings related to the execution
of that sentence, including preparation for execution and the setting
of an execution date, are stayed until final disposition in this
Court of the federal habeas corpus petition to be filed on
petitioner's behalf.

IT IS FURTHER ORDERED, that this matter be referred to the
Selection Board for the United States District Court, Northern
District of California, for suggestion of one or more counsel to be
appointed to represent petitioner in these proceedings.

The Clerk of the Court shall serve a certified copy of this order on
petitioner; respondent, Kevin Chappell, Warden of San Quentin Prison;
the Clerk of the Alameda County Superior Court; Christina Vom Saal,


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1 Deputy Attorney General of the State of California; and Michael G.
2 Millman, Executive Director of the California Appellate Project, San
3 Francisco.

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5 DATED: September 24, 2013


UNITED STATES DISTRICT JUDGE

7 SUBMITTED BY:
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11 Patricia Daniels
12 Attorney at Law, California Appellate Project
13 On behalf of Petitioner
14 Maurice Boyette

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MAURICE BOYETTE,
Plaintiff,

Case Number: CV13-04376 WHO
CERTIFICATE OF SERVICE

v.


KEVIN CHAPPELL et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 24, 2013, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail.

Maurice Boyette H-76600
San Quentin State Prison
San Quentin, CA 94974

Dated: September 24, 2013


Richard W. Wieking, Clerk
By: Jean Davis, Deputy Clerk