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17 Attorney for Respondent ROBERT L. AYERS, JR.

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20

21 CURTIS FLOYD PRICE,
 22
 23 Petitioner,
 24 v.
 25 ROBERT L. AYERS, JR., Warden of San
 Quentin State Prison,
 26 Respondent.
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Case No. C-93-0277 PJH
DEATH PENALTY CASE
[PROPOSED] ORDER ON LITIGATION SCHEDULE
 Judge: Hon. Phyllis J. Hamilton

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ORDER

The present action has been stayed and held in abeyance by this Court pending the exhaustion of State-court remedies per this Court’s Order dated March 22, 2007 (Docket No. 180). It appearing to this Court that exhaustion proceedings have now been completed per the opinions of the California Supreme Court dated February 14, 2011, and April 13, 2011, the Court hereby ORDERS the parties to complete and file the following pleadings under the schedule designated:

(1) Petitioner shall file his amended federal habeas corpus petition no later than 120 days from the date of this Order;

(2) Respondent shall thereafter file any answer to the amended federal habeas corpus petition no later than 120 days after the due date for the filing of the amended federal habeas corpus petition;

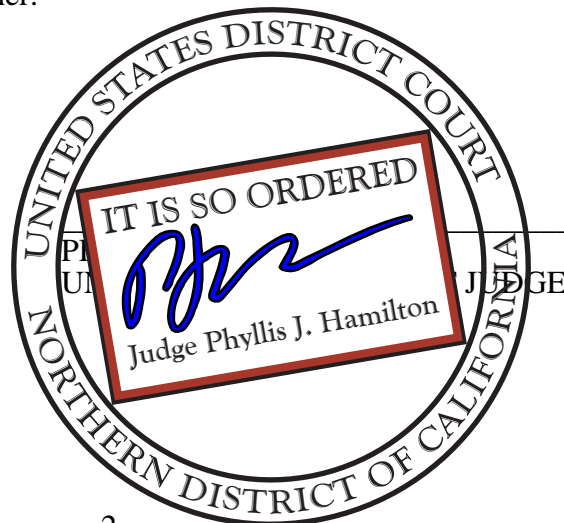
(3) Petitioner shall file any reply to the answer to the amended federal habeas corpus petition no later than 60 days after the due date for the filing of the answer.

Further litigation schedules will be provided upon the completion of the above.

The above litigation schedule has been jointly submitted to this Court by the parties. By agreeing to the litigation schedule set forth herein, it is understood that neither party intends to waive any available challenges or defenses, affirmative or otherwise, to any aspect of the amended petition or the answer, including defenses of timeliness, retroactivity, statute of limitation, procedural default, or any other.

IT IS SO ORDERED.

Dated: February 2, 2012



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Dated: January 18, 2012

Respectfully submitted,
ROBERT L. McGLASSON

By: /s/ Robert L. McGlasson _____
ROBERT L. McGLASSON
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Attorneys for Petitioner
CURTIS FLOYD PRICE

Dated: January 18, 2012

CALIFORNIA STATE ATTORNEY
GENERAL'S OFFICE

By: /s/ David H. Rose _____
DAVID H. ROSE

Attorney for Respondent
ROBERT L. AYERS, JR

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to General Order NO. 45, Section X.B. regarding non-filing signatories, I hereby attest that all counsel listed above have concurred in the filing of this [PROPOSED] ORDER ON LITIGATION SCHEDULE.

Dated: January 18, 2012

/s/ Robert L. McGlasson _____
ROBERT L. McGLASSON