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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CURTIS FLOYD PRICE,
Petitioner,
vs.

No. C 93-277 PJH
Death Penalty Case

SCHEDULING ORDER

RON DAVIS, Acting Warden of San
Quentin State Prison
Respondent.

The Court is in receipt of the parties' joint statement submitted on April 9, 2015. The parties have identified 21 record-based claims that can proceed to briefing on the merits without a request for an evidentiary hearing. Petitioner identified fourteen claims that he believes warrant an evidentiary hearing and requested an opportunity to brief the basis for such a hearing. The Court will first address the record-based claims and will take up petitioner's request to brief the need for an evidentiary hearing upon resolution of the record-based claims.

In the interest of efficiency, and in order to avoid oversized briefs, the parties shall divide the claims into three groups (by grouping together, for example, claims that have the same factual predicates), and shall file three rounds of briefing, with each brief addressing no more than seven claims.

Accordingly, by July 24, 2015, petitioner shall file his initial opening brief. The

1 response is due on or before August 24, 2015. The optional reply is due within fifteen days
2 of the date of service of the response. The parties are requested to observe a 30-page
3 limit for their briefs. A schedule for the second round of merits-based briefing will issue
4 upon resolution of the first round of briefed claims.

5 **IT IS SO ORDERED.**

6
7 Dated: May 18, 2015.



PHYLLIS J. HAMILTON
United States District Judge