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

CHARLES W. LEWIS, No. C 07-2465 CW (PR)

Petitioner,

v.

ORDER REQUESTING SUPPLEMENTAL
BRIEFING

SUZAN L. HUBBARD, Acting Warden,

Respondent.

_____ /

A recent en banc decision from the Ninth Circuit, Hayward v. Marshall, No. 06-55392, 2010 WL 1664977 (9th Cir. April 22, 2010) (en banc), addressed important issues relating to federal habeas review of Board of Parole Hearings (BPH) decisions denying parole to California state prisoners. Therefore, the Court will provide the parties an opportunity to submit a supplemental brief (not to exceed ten (10) pages in length) explaining their views of how the Hayward en banc decision applies to the facts presented in Petitioner's challenge to BPH's decision denying him parole.

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United States District Court
For the Northern District of California

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The Court sets the following schedule:

1. No later than June 3, 2010, Respondent must file and serve any supplemental brief applying Hayward to the facts presented in Petitioner's case.

2. No later than June 24, 2010, Petitioner must file and serve any supplemental brief applying Hayward to the facts presented in his case.

IT IS SO ORDERED.

Dated: May 17, 2010



CLAUDIA WILKEN
United States District Judge