

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

3
4 AMADO REYES TRUJILLO,

No. C 11-1908 CW

5 Petitioner,

ORDER FOR BRIEFING
ON ISSUE OF
EQUITABLE TOLLING

6 v.

7 RANDY GROUNDS, Warden,

8 Respondent.

9 _____/

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11 On March 14, 2012, the Court issued an order denying
12 Respondent's motion to dismiss and granting Petitioner's motion
13 for appointment of counsel on the issue of whether equitable
14 tolling applies in this case. In the March 14 Order, the Court
15 found that Petitioner had alleged sufficient facts to carry his
16 burden of showing that he may be entitled to equitable tolling of
17 the statute of limitations, but that the evidentiary record
18 required further development before the issue could be decided.
19 The Court noted that the evidentiary record could be developed
20 through discovery (pursuant to Habeas Rule 6), expansion of the
21 record (pursuant to Habeas Rule 7), or an evidentiary hearing
22 (pursuant to Habeas Rule 8).

23 On May 1, 2012, attorney Mark Rendon Vermeulen was appointed
24 to represent Petitioner for the limited purpose of expanding the
25 evidentiary record on the issue of equitable tolling and briefing
26 on equitable tolling. The parties shall meet and confer to
27 determine how to proceed on this matter. Within three weeks from
28 the date of this order, they shall file a joint statement

1 outlining how the record should be expanded and timetables for
2 accomplishing the expansion of the record and for briefing on the
3 issue of equitable tolling.

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5 IT IS SO ORDERED.

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7 Dated: 5/31/2012

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9 CLAUDIA WILKEN
10 United States District Judge
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