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**\*\*E-Filed 6/24/2010\*\***

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

William Michael DENNIS,

Petitioner,

v.

Vince CULLEN,<sup>1</sup> Acting Warden of San Quentin  
State Prison,

Respondent.

Case Number 5-98-cv-21027-JF

DEATH-PENALTY CASE

ORDER BIFURCATING  
EVIDENTIARY HEARING

Good cause appearing therefor, the evidentiary hearing in the instant action currently scheduled to begin on December 6, 2010 is hereby bifurcated. The first phase of the evidentiary hearing will address only mental-health claims—to wit: Claims 3, 11, and 17. Unless otherwise ordered, the parties shall call only medical and legal professionals to testify at the mental-health phase of the evidentiary hearing. Counsel for Petitioner shall contact the Criminal Justice Act Supervising Attorney forthwith to continue efforts to develop a reasonable budget for the mental-health phase of the evidentiary hearing and pre-hearing preparation.

IT IS SO ORDERED.

DATED: June 24, 2010

  
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JEREMY FOGEL  
United States District Judge

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<sup>1</sup> Vince Cullen is automatically substituted for Robert L. Ayers Jr. and Robert K. Wong pursuant to Federal Rule of Civil Procedure 25(d).