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E-FILED - 7/29/11

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

ANTHONY PEREZ HERNANDEZ,)	No. C 09-3457 RMW (PR)
)	
Petitioner,)	ORDER DIRECTING
)	RESPONDENT TO FILE A
v.)	RESPONSE TO PETITIONER'S
)	MOTION FOR DISCOVERY,
JAMES WALKER, Warden,)	MOTION SEEKING
)	ASSISTANCE, AND MOTION
Respondent.)	FOR EVIDENTIARY HEARING

Petitioner, a state prisoner proceeding pro se, has filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Following an initial review of the petition, the court found petitioner's claims cognizable and ordered respondent to show cause why the petition should not be granted. Currently pending before the court are petitioner's motion for discovery, motion seeking assistance, and motion for an evidentiary hearing. Respondent is directed to file a response to petitioner's motion for discovery, motion seeking assistance, and motion for evidentiary hearing, addressing the implications of the Supreme Court's decision in Cullen v. Pinholster, 131 S. Ct. 1388 (2011), within **thirty days** from the filing date of this order. (Docket Nos. 52, 56, 59.) Petitioner may file any reply **fifteen days** thereafter.

IT IS SO ORDERED.

DATED: 7/28/11


 RONALD M. WHYTE
 United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY PEREZ HERNANDEZ,
Plaintiff,

Case Number: CV09-03457 RMW

CERTIFICATE OF SERVICE

v.

JAMES WALKER et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 29, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Anthony Perez Hernandez J-91728
California State Prison-Sacramento
C8-115
P.O. Box 290066
Represa, CA 95671-0066

Dated: July 29, 2011

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk