

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ALEX BARAJAS,	)	Case No.: 10-CV-2974-LHK
Petitioner,	)	
v.	)	ORDER REQUESTING FURTHER
GREG LEWIS,	)	BRIEFING
Respondent.	)	

The parties are hereby requested to provide further briefing on whether, if the Court were to find that the relevant “kill zone” jury instruction, CALCRIM No. 600, was unconstitutional, such constitutional error ““had a substantial and injurious effect or influence in determining the jury’s verdict.”” *Fry v. Pliler*, 551 U.S. 112, 116, 122 (2007) (quoting *Brecht v. Abrahamson*, 507 U.S. 619, 638 (1993)).

- Petitioner shall file a brief, not to exceed 5 pages, by March 1, 2012.
- Respondent shall file an opposition, not to exceed 5 pages, by March 15, 2012.
- Petitioner shall file a reply, not to exceed 3 pages, by March 22, 2012.

**IT IS SO ORDERED.**  
Dated: January 27, 2011

  
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 LUCY H. KOH  
 United States District Judge