

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 03-cv-01424-MSK-BNB

KENT ERIC LEBERE,

Applicant,

v.

JAMES ABBOTT, Warden, and
JOHN W. SUTHERS, the Attorney General of the State of Colorado,

Respondents.

ORDER

This matter is before me on Petitioner's Motion to Conduct Discovery in Support of his Amended Application for Writ of Habeas Corpus [Doc. #92] and Petitioner's Motion for Status Conference [Doc. #94]. The motions are opposed.

I find that it is necessary to hold a status conference/motions hearing to address (1) whether discovery should be allowed and, if so, its extent, and (2) whether an evidentiary hearing on issues raised in the Amended Application is permissible or required. Prior to the status conference/motions hearing, however, the parties are directed to file supplemental briefs addressing whether an evidentiary hearing is permissible or required in this matter.

IT IS ORDERED:

(1) On or before September 29, 2014, the petitioner shall file a supplemental brief, not exceeding ten pages, addressing the propriety and necessity of an evidentiary hearing and identifying those issues on which he believes evidence is necessary; and

(2) The respondents shall file a supplemental response, not exceeding ten pages, on or

before October 13, 2014.

Dated September 15, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge