

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 11-cv-03360-RPM

TIMOTHY RADLOFF,

Petitioner,

v.

TOM CLEMENTS, Exec. Director, Colorado Department of Corrections,  
DICK SMELSER, Warden, Crowley County Correctional Facility, and  
JOHN W. SUTHERS, Attorney General, State of Colorado,

Respondents.

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ORDER FOR HEARING

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It appearing from the Applicant's Reply [Doc. 8] and the Applicant's Notice of Conclusion of State Court Proceedings [Doc. 10] that the issue to be decided is whether an evidentiary hearing should be held in this court to address the credibility of the testimony at trial of Elkay Carmack, and that oral argument may be helpful, it is

ORDERED that a hearing will be set to provide an opportunity for oral argument on the question of whether an evidentiary hearing should be held to prevent a miscarriage of justice.

DATED: December 29<sup>th</sup>, 2015

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior Judge