

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Raymond P. Moore**

Civil Action No. 13-cv-00403-RM-BNB

HUGH WALTON,

Applicant,

v.

FRANCIS FALK, Warden, L.C.F., and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

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**ORDER GRANTING MOTION TO ACCEPT  
STATE RECORD AS PREVIOUSLY FILED**

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This matter is before the Court on the motion (ECF No. 28) Respondents submitted on October 18, 2013. In the motion, Respondents ask the Court to accept the CD of electronic transcripts originally submitted as part of the state court record filed with the Court on September 6, 2013 (ECF No. 24), instead of being required to file a replacement CD as directed in the order of October 18, 2013 (ECF No. 27).

The Court issued the October 18 order in the belief that the CD submitted on September 6 failed to comply with the directive in the order of August 29, 2013 (ECF No. 19), that “the record, if provided in electronic format, shall display transcripts for all proceedings, including hearings and days of trial, by separate date and not as one continuous document.” ECF No. 19 at 1. In the October 18 motion, Respondents explain that “bookmarks” – instead of separate files – indicate each electronic transcript by separate date in the CD submitted on September 6. Therefore, the Court finds that

the CD as originally submitted on September 6 with “bookmarks” indicating each electronic transcript by separate date substantially complies with the August 19 order for the state court record. The Court will not require Respondents to submit a replacement CD as directed in the October 18 order.

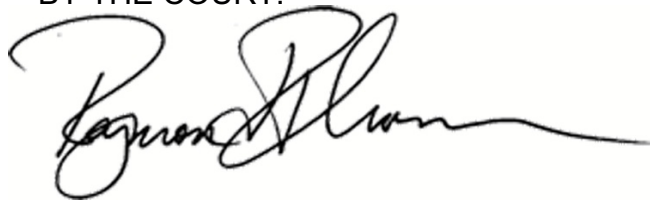
Accordingly, it is

ORDERED that Respondents’ motion filed on October 18, 2013 (ECF No. 28), that asks the Court to accept the state court record as previously filed on September 6, 2013, is GRANTED. It is

FURTHER ORDERED that Applicant continues to have **thirty (30) days from the October 18 order** (ECF No. 27) in which to file a traverse.

DATED at Denver, Colorado, this 18<sup>th</sup> day of October, 2013.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written in a cursive style. The signature is positioned above a horizontal line.

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RAYMOND P. MOORE  
United States District Judge