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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

STEVEN M. HUNTER

CIVIL ACTION NO. 1:06-cv-01745

-vs-

JUDGE DRELL

U. S. PAROLE COMMISSION

MAGISTRATE JUDGE KIRK

ORDER

Before the Court is the Report and Recommendation dated June 24, 2009 (Document No. 41), to which Petitioner has objected (Document No. 47).

Although the evidence presently before the Court does show Respondent has ordered Hunter's case reopened and remanded for a new parole determination pursuant to the 1987 guidelines and 1991 policies in effect at the time Petitioner's offenses were committed (Document No. 38, Ex. F), the record is not clear whether the hearing has been held at this point in time nor whether the new determination will fulfill all the requirements set forth by the United States Court of Appeals for the Fifth Circuit in their April 3, 2009 Judgment (Document No. 19). Accordingly,

IT IS ORDERED that **on or before October 5, 2009**, Respondent shall hold the new parole hearing referenced above.

IT IS FURTHER ORDERED that on or before October 20, 2009, Respondent shall file into the record of the referenced matter a report which (1) tracks the language of the Fifth Circuit opinion as to how the guidelines were applied in Petitioner's initial hearing and in the new hearing; and (2) explains the result of the new hearing and its effect upon Petitioner's sentence under the old and amended guidelines.

IT IS FURTHER ORDERED that the Report and Recommendation (Document No. 41) is not adopted at this time.

IT IS FURTHER ORDERED that the pending motions (Document Nos. 42, 43, 45, and 46) are held in abeyance until the report described above is filed.

SIGNED on this 5 day of August, 2009, at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read "Dee D. Drell", is written over a horizontal line.

DEE D. DRELL
UNITED STATES DISTRICT JUDGE