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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CLIFFORD J. DAVLIN,	)	**CASE NO. 8:09CV460**
	)	
Petitioner,	)	
	)	
v.	)	**MEMORANDUM**
	)	**AND ORDER**
DENNIS BAKEWELL, et al.,	)	
	)	
Respondents.	)	

This matter is before the court on Petitioner's Motion to Expand the Record. (Filing No. 13.) Respondent filed a Brief in opposition to the Motion (Filing No. 15) and Petitioner filed an Objection to Respondent's Brief (Filing No. 19). The court has carefully reviewed the record in this matter and finds that Petitioner's Motion is denied without prejudice to reassertion pending the court's determination regarding the procedural default issues in the case. In the event the court determines that the additional records are necessary, the court will order Respondent to provide them.

IT IS THEREFORE ORDERED that:

1. Petitioner's Motion to Expand the Record (Filing No. 13) and Objection to Respondent's Brief (Filing No. 19) are denied; and

2. Respondents are reminded that their reply brief is due on May 27, 2010.

DATED this 11th day of May, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

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