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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EMERY SLAYDEN,)	
)	
Petitioner,)	2:06-cv-0664-PMP-RJJ
)	
vs.)	ORDER
)	
E.K. McDANIEL, <i>et al.</i> ,)	
)	
Respondents.)	
_____	/	

Emery Slayden, a Nevada prisoner, has filed a Motion for Complete Copy of Records (ECF No. 25) in anticipation of a renewed appeal effort on the basis of actual innocence. He has also recently provided a signed copy of the supporting Declaration of Ted L. Gunderson, private investigator of Gunderson and Associates located in Los Angeles, California, (ECF No. 26), dated October 9, 2011. The Court notes that petitioner, in violation of the Court’s rules, has failed to serve a copy of his motion upon respondents. *See* LR 5-1.

The Declaration from Mr. Gunderson which sets out his license number and social security number (another violation of Court Special Order 108) indicates Gunderson’s plans to obtain Sandy Doram’s affidavit upon his return from Panama in December, 2011. The Declaration causes the Court some concern, as the Court was under the impression that Mr. Gunderson had recently passed away. Therefore, respondents shall be required to file a response to the motion and shall confirm for the Court whether or not Mr. Gunderson is, in fact, alive.

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IT IS THEREFORE ORDERED that the Clerk shall serve the motion and declaration upon respondents.

IT IS FURTHER ORDERED that the respondents shall, within thirty days of entry of this Order, file a response to the Motion for Complete Record which shall also confirm for the Court Mr. Gunderson's status.

DATED: October 20, 2011.



PHILIP M. PRO
United States District Judge