

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

ROBERT STEVEN YOWELL,  
  
v.  
  
ISIDRO BACA, *et al.*,  
  
Respondents.

Case No. 3:15-cv-00318-MMD-WGC  
  
ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by Nevada state prisoner Robert Steven Yowell. Yowell has filed an emergency motion for release pending a decision by this Court on his § 2254 petition due to the risk of infection by COVID-19. (ECF No. 70.) He explains that he is 65 years old and suffers from several serious medical issues—a heart condition, hypertension, diabetes, and possible lung conditions—that “put him in a high-risk category for negative outcomes if he contracts COVID-19.” (*Id.* at 21.) Yowell, therefore, seeks immediate release pending a final decision on the merits of his § 2254 petition. (*Id.* at 26.) In light of the emergent nature of the allegations, this Court finds good cause to order a quick response to the motion. Yowell also moves for leave to file various exhibits, including his medical records, under seal. (ECF No. 73.) This Court finds that there is good cause to grant the motion.

It is therefore ordered that Respondents must file and serve a response to the emergency motion for release (ECF No. 70) within 3 days of the date that this order is entered.


It is further ordered that Petitioner must file his reply, if any, within 5 days of the date that Respondents file their response.

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

It is further ordered that Petitioner's motion for leave to file exhibits under seal (ECF No. 73) is granted.

DATED THIS 13<sup>th</sup> day of April 2020.

  
\_\_\_\_\_  
MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT COURT