

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

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIAN THOMAS STARK,

Petitioner,

v.

DANIEL WHITE,¹

Respondent.

Case No. C14-1538-JCC-MLP

ORDER SETTING CASE SCHEDULE

This 28 U.S.C. § 2254 habeas action is currently stayed. The parties have filed a joint status report indicating that Petitioner’s state-court post-conviction proceedings are nearly resolved and asking the Court to set a briefing schedule. (Dkt. # 43.) Having considered the parties’ proposed schedule, the Court ORDERS:

(1) The stay shall continue until the Washington Court of Appeals issues the mandate in WA COA No. 76676-7-I and the certificate of finality in WA COA No. 78016-6-I. The parties shall inform the Court of such filings when they occur.

¹ The Clerk is directed to substitute Daniel White as the Respondent in this matter. *See* Fed. R. Civ. P. 25(d).

1 (2) Within 45 days of both the mandate in WA COA No. 78016-6-I and the
2 certificate of finality in WA COA No. 78016-6-I being issued, Respondent shall file the updated
3 state-court record.

4 (3) Petitioner shall file his supplemental memorandum within 30 days of the filing of
5 the updated state-court record.

6 (4) Respondent shall file his supplemental answer within 45 days of the filing of
7 Petitioner's supplemental memorandum.

8 (5) Petitioner shall file his traverse/reply within 15 days of the filing of Respondent's
9 supplemental answer.

10 (6) The parties shall note the matter for consideration on the date the traverse/reply is
11 due.

12 (7) The Clerk is directed to send copies of this order to the parties and to the
13 Honorable John C. Coughenour.

14 Dated this 17th day of April, 2019.

15 

16 MICHELLE L. PETERSON
17 United States Magistrate Judge