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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEITH ZON DOOLIN,
Petitioner,
v.
RON DAVIS, Warden of California State
Prison at San Quentin,
Respondent.

Case No. 1:09-cv-01453-AWI-SAB
DEATH PENALTY CASE
ORDER SCHEDULING PETITIONER'S
MOTION FOR EVIDENTIARY
DEVELOPMENT DURING ABEYANCE

On October 27, 2016, petitioner, through appointed counsel filed a motion that he be allowed to develop new evidence bearing on his innocence from David Mugridge, former counsel for third party Josefina Saldana; evidence allegedly suggesting that Saldana was involved in one of the murders for which petitioner was charged and convicted. (*See* Doc. No. 187.) No hearing date for the motion has been scheduled.

The court stayed this proceeding on January 17, 2012 to allow petitioner to exhaust his state claims including claims of innocence. *See In re Doolin*, Cal. Sup. Ct. No. S197391; *In re Doolin*, Cal. Sup. Ct. No. S234285. The matter is remains in abeyance of action by the California Supreme Court.

This order provides a schedule for petitioner's motion.

Accordingly,

1. Respondent's opposition to the motion, if any, shall be filed not later than thirty

1 (30) days following the filed date of this order.

2 2. Petitioner's reply to the opposition, if any, shall be filed not later than fifteen (15)
3 days following the filed date of respondent's opposition, whereupon this matter
4 shall be deemed submitted.

5 3. The parties will be notified by minute order if a hearing is necessary.

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8 IT IS SO ORDERED.

9 Dated: November 8, 2016


UNITED STATES MAGISTRATE JUDGE