

IN THE UNITED STATES DISTRICT COURTS
FOR THE EASTERN DISTRICT OF CALIFORNIA
AND THE NORTHERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,
Plaintiffs,

v.

ARNOLD SCHWARZENEGGER,
et al.,
Defendants.

NO. CIV S-90-0520 LKK JFM
(E.D. Cal.)

ORDER REQUESTING
ADDITIONAL BRIEFING ON
PLAINTIFFS' MOTION TO
CONVENE THREE-JUDGE
COURT

MARCIANO PLATA, et al.,
Plaintiffs,

v.

ARNOLD SCHWARZENEGGER,
et al.,
Defendants.

NO. C01-1351 TEH
(N.D. Cal.)

Plaintiffs in the above-captioned cases filed in each action a motion to convene a three-judge court to consider issuing a prisoner release order pursuant to 18 U.S.C. § 3626(a)(3). A joint hearing on the matter was held on Wednesday, June 27, 2007, in Sacramento, California. The Honorable Lawrence K. Karlton and Thelton E. Henderson presided.

Subsequent to the hearing, Defendants in both cases filed a request for judicial notice of a report recently issued to the California State Legislature by the California Department of Corrections and Rehabilitation's Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs. *See* July 2, 2007 Requests for Judicial Notice. The report is entitled,

1 “Report to the California State Legislature: A Roadmap for Effective Offender Programming
2 in California.”

3 The report is over 200 pages long and addresses many of the issues discussed at the
4 June 27, 2007 hearing. While it may be more appropriate for a three-judge court to consider
5 the impact of this report on overcrowding, in an abundance of caution, the undersigned seek
6 input from the parties.

7 Accordingly, IT IS HEREBY ORDERED that the parties shall file additional briefing
8 that addresses how, if at all, the courts should consider the expert panel’s report in resolving
9 the pending motions to convene a three-judge court, in accordance with the following
10 schedule:

- 11 1. Defendants in both cases shall file additional briefing no later than **July 11,**
12 **2007.**
- 13 2. Plaintiffs in both cases shall file a reply no later than **July 18, 2007.**

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15 **IT IS SO ORDERED.**

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17 Dated: 07/03/07



LAWRENCE K. KARLTON, JUDGE
UNITED STATES DISTRICT COURT

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21 Dated: 07/03/07



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT