

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 97-3531-MWF Date: July 8, 2026

Title Noel Jackson v. Chance Andes, Warden

Present: The Honorable: MICHAEL W. FITZGERALD, United States District Judge

Rita Sanchez
Deputy Clerk

Not Reported
Court Reporter / Recorder

Attorneys Present for Plaintiffs:
Not Present

Attorneys Present for Defendants:
Not Present

Proceedings: (IN CHAMBERS) ORDER STRIKING MOTION FOR RELEASE [356]

On July 2, 2026, a Motion for Release (the “Motion”) was received in the mail from Petitioner Noel Jackson. (Docket No. 356). The Clerk’s Office accepted the Motion for filing and it was docketed on July 7, 2026.

The Motion is STRICKEN. Mr. Jackson is represented by counsel in this action. On June 18, 2026, the Court filed an Order Discharging Conditional Writ (the “Order”). (Docket No. 355). The Court has ended oversight of the state court proceedings and this action is closed.

The Court ORDERS the Clerk’s Office not to accept any further submissions directly from Mr. Jackson for filing.

IT IS SO ORDERED.

cc: Clerk’s Office, Civil Intake

“APPENDIX A”

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:97-cv-03531-MWF

Noel Jackson v. Arthur Calderon
Assigned to: Judge Michael W. Fitzgerald
Demand: \$0
Case in other court: 9th CCA, 22-55937
Cause: 28:2254 Ptn for Writ of H/C - Stay of Execution

Date Filed: 05/09/1997
Date Terminated: 09/29/2022
Jury Demand: None
Nature of Suit: 535 Death Penalty - Habeas
Corpus
Jurisdiction: Federal Question

Petitioner

Noel Jackson

represented by **Ethan H Stone**
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APPENDIX C

08/05/1997	<u>13</u>	ORDER by Judge Richard A. Paez granting application [12-1] execution date of petitioner Noel Jackson ; set for 12/5/97 (et) (mgu). (Entered: 08/06/1997)
11/26/1997	<u>14</u>	NOTICE OF DISCREPANCY AND ORDER by Judge Richard A. Paez that pltf applic for perm filing of funding req under seal and prop ord rcvd 11/24/97 are rejected and retnd to cnsl (yt) (mgu). (Entered: 12/05/1997)
12/05/1997	<u>15</u>	APPLICATION for further stay of execution by petitioner Noel Jackson (et) (mgu). (Entered: 12/08/1997)
12/05/1997		LODGED/PROPOSED ORDER submitted by petitioner Noel Jackson for application [15-1] .(FWD TO CRD) (et) (Entered: 12/08/1997)
12/09/1997	<u>16</u>	ORDER for stay of execution by Judge Richard A. Paez execution date of petitioner Noel Jackson ; set for 4/4/98 (yt) (mgu). (Entered: 12/15/1997)
12/24/1997	<u>17</u>	APPLICATION for order permitting filing of funding req under seal by petitioner Noel Jackson ****FILED UNDER SEAL**** (yt) (eb). (Entered: 01/07/1998)
12/24/1997		LODGED/PROPOSED ORDER submitted by petitioner Noel Jackson (FWD TO CRD) (yt) (Entered: 01/07/1998)
12/24/1997	<u>18</u>	EX PARTE APPLICATION filed by petitioner Noel Jackson for funds to pursue H/C action ****FILED UNDER SEAL**** (yt) (eb). (Entered: 01/07/1998)
01/07/1998	<u>19</u>	ORDER by Judge Richard A. Paez ***FILED UNDER SEAL*** (jag) (eb). (Entered: 01/09/1998)
01/30/1998	<u>20</u>	STIPULATION Establishing Commencement of Statute of Limitations for filing pet for writ og h/c (mco) (mgu). (Entered: 02/11/1998)
01/30/1998		LODGED/PROPOSED ORDER submitted by petitioner Noel Jackson for stipulation [20-1] .(FWD TO CRD) (mco) (Entered: 02/11/1998)
02/04/1998	<u>21</u>	ORDER by Judge Richard A. Paez granting stipulation establishing commencement of statue of limitations for filing pet for writ of h/c, the finality of state crt judgt in this case occured 5/12/97, the date upon ptr's pet for writ of certiorari was denied by the U.S. Supreme Crt [20-1] (mco) (mgu). (Entered: 02/11/1998)
04/01/1998	<u>22</u>	EX PARTE APPLICATION filed by petitioner Noel Jackson to extend the execution date of petitioner Noel Jackson til August 2, 1998 (mco) (mgu). (Entered: 04/03/1998)
04/01/1998		LODGED/PROPOSED ORDER submitted by petitioner Noel Jackson for exparte motion to extend the execution date of petitioner Noel Jackson til August 2, 1998 [22-1] .(FWD TO CRD) (mco) (Entered: 04/03/1998)
04/03/1998	<u>23</u>	ORDER by Judge Richard A. Paez petrs applic is granted; execution date of petitioner Noel Jackson ; set for 8/2/98 (yt) (mgu). (Entered: 04/06/1998)
04/15/1998	<u>24</u>	NOTICE OF MOTION AND MOTION by respondent Arthur Calderon for reconsideration of ord for stay of execution ; motion hearing set for 5/18/98 (yt) Modified on 04/14/2000 (mgu). (Entered: 04/23/1998)
05/04/1998	<u>25</u>	REQUEST by petitioner Noel Jackson to continue hrg on mtn for recon of ord forstay of exec (el) (mgu). (Entered: 05/05/1998)
05/04/1998	<u>26</u>	RESPONSE by petitioner Noel Jackson to motion for reconsideration of ord for stay of execution [24-1] (el) (mgu). (Entered: 05/05/1998)
05/11/1998	<u>27</u>	PETITION FOR WRIT OF HABEAS CORPUS by petitioner Noel Jackson in State Custody referred to Judge Richard A. Paez . (shb) (Additional attachment(s) added on

		Lodg Doc. 22, # <u>23</u> Lodg Doc. 23, # <u>24</u> Lodg Doc. 24, # <u>25</u> Lodg Doc. 25) (cg). (Additional attachment(s) added on 4/30/2020: # <u>26</u> Lodg Doc. 26, # <u>27</u> Lodg Doc. 27, # <u>28</u> Lodg Doc. 28, # <u>29</u> Lodg Doc. 29, # <u>30</u> Lodg Doc. 30) (cg). (Additional attachment(s) added on 4/30/2020: # <u>31</u> Lodg Doc. 31, # <u>32</u> Lodg Doc. 32, # <u>33</u> Lodg Doc. 33, # <u>34</u> Lodg Doc. 34, # <u>35</u> Lodg Doc. 35) (cg). (Additional attachment(s) added on 4/30/2020: # <u>36</u> Lodg Doc. 36, # <u>37</u> Lodg Doc. 37, # <u>38</u> Lodg Doc. 38, # <u>39</u> Lodg Doc. 39, # <u>40</u> Lodg Doc. 40) (cg). (Additional attachment(s) added on 4/30/2020: # <u>41</u> Lodg Doc. 41, # <u>42</u> Lodg Doc. 42, # <u>43</u> Lodg Doc. 43, # <u>44</u> Lodg Doc. 44, # <u>45</u> Lodg Doc. 45) (cg). (Additional attachment(s) added on 4/30/2020: # <u>46</u> Lodg Doc. 46, # <u>47</u> Lodg Doc. 47, # <u>48</u> Lodg Doc. 48, # <u>49</u> Lodg Doc. 49, # <u>50</u> Lodg Doc. 50) (cg). (Additional attachment(s) added on 4/30/2020: # <u>51</u> Lodg Doc. 51, # <u>52</u> Lodg Doc. 52, # <u>53</u> Lodg Doc. 53, # <u>54</u> Lodg Doc. 54, # <u>55</u> Lodg Doc. 55) (cg). (Additional attachment(s) added on 4/30/2020: # <u>56</u> Lodg Doc. 56, # <u>57</u> Lodg Doc. 57, # <u>58</u> Lodg Doc. 58, # <u>59</u> Lodg Doc. 59, # <u>60</u> Lodg Doc. 60) (cg). (Additional attachment(s) added on 4/30/2020: # <u>61</u> Lodg Doc. 61, # <u>62</u> Lodg Doc. 62, # <u>63</u> Lodg Doc. 63, # <u>64</u> Lodg Doc. 64, # <u>65</u> Lodg Doc. 65) (cg). (Additional attachment(s) added on 4/30/2020: # <u>66</u> Lodg Doc. 66, # <u>67</u> Lodg Doc. 67, # <u>68</u> Lodg Doc. 68, # <u>69</u> Lodg Doc. 69, # <u>70</u> Lodg Doc. 70) (cg). (Additional attachment(s) added on 4/30/2020: # <u>71</u> Lodg Doc. 71, # <u>72</u> Lodg Doc. 72, # <u>73</u> Lodg Doc. 73, # <u>74</u> Lodg Doc. 74, # <u>75</u> Lodg Doc. 75) (cg). (Additional attachment(s) added on 4/30/2020: # <u>76</u> Lodg Doc. 76, # <u>77</u> Lodg Doc. 77, # <u>78</u> Lodg Doc. 78, # <u>79</u> Lodg Doc. 79, # <u>80</u> Lodg Doc. 80) (cg). (Additional attachment(s) added on 4/30/2020: # <u>81</u> Lodg Doc. 81, # <u>82</u> Lodg Doc. 82, # <u>83</u> Lodg Doc. 83, # <u>84</u> Lodg Doc. 84, # <u>85</u> Lodg Doc. 85) (cg). (Additional attachment(s) added on 4/30/2020: # <u>86</u> Lodg Doc. 86, # <u>87</u> Lodg Doc. 87, # <u>88</u> Lodg Doc. 88) (cg). (Additional attachment(s) added on 4/30/2020: # <u>89</u> Lodg Doc. 89, # <u>90</u> Lodg Doc. 90, # <u>91</u> Lodg Doc. 91, # <u>92</u> Lodg Doc. 92, # <u>93</u> Lodg Doc. 93) (cg). (Additional attachment(s) added on 4/30/2020: # <u>94</u> Lodg Doc. 94, # <u>95</u> Lodg Doc. 95, # <u>96</u> Lodg Doc. 96, # <u>97</u> Lodg Doc. 97, # <u>98</u> Lodg Doc. 98) (cg). (Additional attachment(s) added on 4/30/2020: # <u>99</u> Lodg Doc. 100, # <u>100</u> Lodg Doc. 101, # <u>101</u> Lodg Doc. 102, # <u>102</u> Lodg Doc. 103, # <u>103</u> Lodg Doc. 104) (cg). (Additional attachment(s) added on 4/30/2020: # <u>104</u> Lodg Doc. 104) (cg). (Additional attachment(s) added on 5/1/2020: # <u>105</u> Lodg Doc. 105, # <u>106</u> Lodg Doc. 106 Resp's Brief, # <u>107</u> Lodg Doc. 107 Reply Brief, # <u>108</u> Lodg Doc. 108 Petition) (cg). (Additional attachment(s) added on 5/1/2020: # <u>109</u> Lodg Doc. 109, # <u>110</u> Lodg Doc. 110, # <u>111</u> Lodg Doc. 111, # <u>112</u> Lodg Doc. 112) (cg). (Additional attachment(s) added on 5/1/2020: # <u>113</u> Lodg Doc. 113, # <u>114</u> Lodg Doc. 114, # <u>115</u> Lodg Doc. 115, # <u>116</u> Lodg Doc. 116) (cg). (Additional attachment(s) added on 5/1/2020: # <u>117</u> Lodg Doc. 117, # <u>118</u> Lodg Doc. 118 CA Supreme Ct Denial, # <u>119</u> Lodg Doc. 119 Pet. for Rehearing) (cg). (Additional attachment(s) added on 5/1/2020: # <u>120</u> Lodg Doc. 120, # <u>121</u> Lodg Doc. 121, # <u>122</u> Lodg Doc. 122, # <u>123</u> Lodg Doc. 123) (cg). (Additional attachment(s) added on 5/1/2020: # <u>124</u> Lodg Doc. 124, # <u>125</u> Lodg Doc. 125, # <u>126</u> Lodg Doc. 126, # <u>127</u> Lodg Doc. 127) (cg). (Additional attachment(s) added on 5/1/2020: # <u>128</u> Lodg Doc. 128, # <u>129</u> Lodg Doc. 129, # <u>130</u> Lodg Doc. 130, # <u>131</u> Lodg Doc. 131) (cg). (Additional attachment(s) added on 5/1/2020: # <u>132</u> Lodg Doc. 132, # <u>133</u> Lodg Doc. 133) (cg). (Entered: 07/02/1998)
07/23/1998	<u>42</u>	NOTICE OF RENEWED MOTION AND MOTION by petitioner Noel Jackson to hold proceedings in abeyance ; motion hearing set for 9:30 8/24/98 (shb) Modified on 07/27/1998 (mgu). (Entered: 07/27/1998)
08/31/1998	<u>43</u>	EX PARTE APPLICATION filed by respondent Arthur Calderon for clarification of status of answer due date Lodged proposed order (shb) (mgu). (Entered: 09/02/1998)
09/02/1998	<u>254</u>	PLACED IN FILE - NOT USED proposed order (shb) (mgu). (Entered: 09/03/1998)
09/02/1998	<u>44</u>	ORDER by Judge Richard A. Paez granting motion to hold proceedings in abeyance [42-1]; On 9/15/98 and every 3 months, cnsl for both ptys shall file a joint quartely stat rpt...Within 15 days of a ruling on the petition by the California upreme Crt, cnsl for

01/05/1999	<u>58</u>	EX PARTE APPLICATION filed by petitioner Noel Jackson for leave to file opp to mot to vacate abeyance ord in excess of 25 pgs (shb) (mgu). (Entered: 01/06/1999)
01/05/1999	<u>59</u>	ORDER by Judge Richard A. Paez granting exparte motion for leave to file opp to mot to vacate abeyance ord in excess of 25 pgs [58-1] (shb) (mgu). (Entered: 01/06/1999)
01/06/1999	<u>60</u>	ORDER by Judge Richard A. Paez granting leave to file opp to mot to vacate abeyance order one day late (shb) (rhe). (Entered: 01/06/1999)
01/06/1999	<u>62</u>	Suppl Exhibits by petitioner Noel Jackson to motion to vacate this Crt's abeyance ord [49-1] (shb) (mgu). (Entered: 01/11/1999)
01/07/1999	<u>63</u>	NOTICE OF DISCREPANCY AND ORDER by Judge Richard A. Paez that the petitioners suppl exhs in suppt of opp to mot to vacate abet ord received on 1/6/99 is to be filed and processed. (shb) (mgu). (Entered: 01/12/1999)
01/11/1999	<u>64</u>	EX PARTE APPLICATION filed by petitioner Noel Jackson for leave to file further opposition Lodged prop ord & furth opp (shb) (mgu). (Entered: 01/12/1999)
01/11/1999	<u>68</u>	MINUTES: resetting hearing on motion to vacate this Crt's abeyance ord [49-1] 9:30 1/19/99 by Judge Richard A. Paez CR: N/A (shb) (mgu). (Entered: 01/19/1999)
01/12/1999	<u>65</u>	OPPOSITION by petitioner Noel Jackson to motion to vacate this Crt's abeyance ord [49-1] (shb) (mgu). (Entered: 01/13/1999)
01/12/1999	<u>66</u>	ORDER by Judge Richard A. Paez granting exparte motion for leave to file further opposition [64-1] (shb) (mgu). (Entered: 01/13/1999)
01/13/1999	<u>67</u>	RESPONSE by respondent Arthur Calderon of respondent to notice of objections to respondents lodgement of documents (shb) (mgu). (Entered: 01/15/1999)
01/19/1999	<u>69</u>	MINUTES: The crt TAKES UNDER ADVISEMENT the motion to vacate this Crt's abeyance ord [49-1] by Judge Richard A. Paez CR: Sandra Becerra (app) (mgu). (Entered: 01/21/1999)
01/19/1999	<u>70</u>	NOTICE by petitioner Noel Jackson of lodging suppl docs to the court record. (shb) (mgu). (Additional attachment(s) added on 5/1/2020: # 1 Lodg Docs. 134-137) (cg). (Additional attachment(s) added on 5/1/2020: # 2 NOL #70 Lodg.) (cg). (Entered: 01/26/1999)
01/27/1999	<u>71</u>	Additional exhibit by petitioner Noel Jackson in support of opposition to motion to vacate this Crt's abeyance ord [49-1] (shb) (mgu). (Entered: 01/28/1999)
03/11/1999	<u>72</u>	JOINT STATUS REPORT by respondent Arthur Calderon and petitioner Noel Jackson (app) (mgu). (Entered: 03/12/1999)
03/31/1999	<u>73</u>	Additional Exhibits by petitioner Noel Jackson in opposition to motion to vacate this Crt's abeyance ord [49-1] (shb) (mgu). (Entered: 04/01/1999)
04/01/1999	<u>74</u>	ORDER by Judge Richard A. Paez re applicability of Chapter 154 of Title 28 USC. Respondents mot for an order finding these cases governed by Chapter 154 of Title 28, USC are DENIED. Respondents separate mot in the Jackson to vacate the abeyance order is DENIED. (ENT: 4/2/99) mld cpys & ntc. [SEND] (shb) (mgu). (Entered: 04/02/1999)
05/21/1999	<u>75</u>	NOTICE OF MOTION AND MOTION by petitioner Noel Jackson to amend ; motion hearing set for 9:30 7/19/99 Lodged amd pet (shb) (mgu). (Entered: 05/24/1999)
06/08/1999	<u>76</u>	AMENDED [27-1] PETITION FOR WRIT OF HABEAS CORPUS (shb) (Additional attachment(s) added on 1/3/2017: # 1 doc 3531 - Part 2, # 2 doc 3531 - Part 3, # 3 doc

		3531 - Part 4) (mgu). (Additional attachment(s) added on 5/1/2020: # 4 Lodg Part 5 Jackson Amended Pet 1999) (cg). (Entered: 06/09/1999)
06/09/1999	<u>77</u>	NOTICE of California Supreme Court order denying petition for writ of habeas corpus & Request for status conference by petitioner Noel Jackson (bg) (mgu). (Entered: 06/11/1999)
06/15/1999	<u>78</u>	JOINT STATUS REPORT IDENTIFYING THE STAT OF THE STATE HABEAS PRCDGS by respondent Arthur Calderon, petitioner Noel Jackson (seal) (mgu). (Entered: 06/22/1999)
06/28/1999	<u>79</u>	NOTICE by respondent Arthur Calderon of non opp to mot to amd pet for writ of h.c and response to request for staus conference (shb) (mgu). (Entered: 06/29/1999)
06/28/1999	<u>80</u>	EX PARTE APPLICATION filed by respondent Arthur Calderon to extend time to answer habeas corpus petition [76-1] to 8/9/99 as to respondent Arthur Calderon Lodged prop ord (shb) (mgu). (Entered: 06/29/1999)
06/30/1999	<u>81</u>	ORDER by Judge Richard A. Paez granting exparte motion to extend time to answer habeas corpus petition [76-1] to 8/9/99 as to respondent Arthur Calderon [80-1] (shb) (Entered: 07/02/1999)
08/03/1999	<u>82</u>	APPLICATION by respondent Arthur Calderon for enlargement of time to file answer to and incl 9/8/99. (shb) (mgu). (Entered: 08/03/1999)
08/04/1999	<u>83</u>	ORDER by Judge Richard A. Paez granting application for enlargement of time in which to file answer to the amd pet for writ of h/c. The answer is now due on 9/8/99. [82-1]; Upon respondents showing of good cause, the appl is granted. (shb) (mgu). (Entered: 08/06/1999)
09/08/1999	<u>84</u>	NOTICE by respondent Arthur Calderon of lodgment of suppl docs (shb) (mgu). (Additional attachment(s) added on 5/1/2020: # 1 Lodg Doc. 138 to 142, # 2 Lodg NOL #84) (cg). (Entered: 09/09/1999)
09/08/1999		LODGED 1 envelope submitted by respondent Arthur Calderon (FWD TO CRD) (shb) (Entered: 09/09/1999)
09/08/1999	<u>85</u>	APPLICATION by respondent Arthur Calderon for leave to file answer in excess of 25 pages (shb) (mgu). (Entered: 09/09/1999)
09/08/1999		LODGED answer submitted by respondent Arthur Calderon (FWD TO CRD) (shb) (Entered: 09/09/1999)
09/08/1999		LODGED/PROPOSED ORDER submitted by respondent Arthur Calderon for application [85-1] .(FWD TO CRD) (shb) (Entered: 09/09/1999)
09/08/1999	<u>86</u>	DECLARATION of Laura Whitcomn Halgren by respondent Arthur Calderon re application [85-1] (shb) (mgu). (Entered: 09/09/1999)
09/08/1999	<u>87</u>	NOTICE by respondent Arthur Calderon of interested parties (shb) (mgu). (Entered: 09/09/1999)
09/08/1999	<u>88</u>	ORDER by Judge Richard A. Paez granting application for leave for respondent to file answer to petition for writ of habeas corpus in excess of 25 pages [85-1] (shb) (Entered: 09/09/1999)
09/08/1999	<u>89</u>	RETURN TO PETITION for Writ of H/C by respondent Arthur Calderon [76-1] (shb) (Additional attachment(s) added on 1/3/2017: # 1 doc 89 - Part 2, # 2 doc 89 - Part 3) (mgu). (Entered: 09/09/1999)

07/10/2000	<u>104</u>	APPLICATION by petitioner for continuance of date for status conf re case budgeting plan (dmjr) (mgu). (Entered: 07/11/2000)
07/11/2000	<u>105</u>	ORDER by Judge Florence-Marie Cooper ; mandatory status conference set on 3:00 9/6/00 re case budgeting plan (dmjr) (mgu). (Entered: 07/14/2000)
07/25/2000	<u>106</u>	APPLICATION by petitioner for enlargement of time to file trav. Lodged ord (dmjr) (mgu). (Entered: 07/26/2000)
07/27/2000	<u>107</u>	ORDER by Judge Florence-Marie Cooper granting motion application [106-1] trav now due 8/25/00 (dmjr) (mgu). (Entered: 07/28/2000)
08/18/2000	<u>108</u>	Joint STATUS REPORT (dmjr) (mgu). (Entered: 08/22/2000)
08/18/2000	<u>109</u>	NOTICE re doc withheld frm case file (dmjr) (mgu). (Entered: 09/01/2000)
08/25/2000	<u>110</u>	APPLICATION by petitioner to file trav in excess of 25 pages. Lodged ord, trav (dmjr) (mgu). (Entered: 08/30/2000)
08/25/2000	<u>111</u>	DECLARATION of J S Thompson by petitioner re motion application [110-1] (dmjr) (mgu). (Entered: 08/30/2000)
08/29/2000	<u>112</u>	ORDER by Judge Florence-Marie Cooper granting motion application [110-1] (dmjr) (mgu). (Entered: 09/01/2000)
08/29/2000	<u>113</u>	TRAVERSE by petitioner Noel Jackson to [89-1] retn to petn (dmjr) (mgu). (Entered: 09/01/2000)
09/06/2000	<u>114</u>	MINUTES: (In Chambers): mandatory status conference held ; The Crt set the following sched for the mot for evid hrg: motion to be fld by 12/9/00; opp by 3/5/01 ; rply by 4/4/01 ; if after the Crt rules on the mot for evid hrg, either pty believes discov is necessary, the Crt will be so advised; the Crt will provide petr w/ budgeting forms to be completed and rtrnd by 10/15/00 by Judge Florence-Marie Cooper CR: Pat Cuneo (rrey) (Entered: 09/12/2000)
09/06/2000	<u>115</u>	MINUTES: (In Chambers): STATUS CONFERENCE re Case Budgeting Plan: The Crt set the following sched for the mot for evid hrg: mot to be fld by 12/11/00; opp by 3/5/01; rply by 4/4/01 by Judge Florence-Marie Cooper CR: Pat Cuneo (rrey) (Entered: 09/14/2000)
09/15/2000	<u>116</u>	NOTICE re doc withheld frm case file (dmjr) (mgu). (Entered: 09/25/2000)
10/17/2000	<u>117</u>	EX PARTE APPLICATION filed by petitioner to extend time to file budget Lodged ord (dmjr) (mgu). (Entered: 10/19/2000)
10/18/2000	<u>118</u>	Applic & ORDER by Judge Florence-Marie Cooper petrns time to file budget is ext to 11/15/00 (dmjr) (mgu). (Entered: 10/20/2000)
11/30/2000	<u>120</u>	APPLICATION by petitioner for enlargement of time to file mot for evidentiary hrg. Lodged ord (dmjr) (mgu). (Entered: 12/04/2000)
12/04/2000	<u>121</u>	ORDER by Judge Florence-Marie Cooper granting motion application [120-1] the mot for evidentiary due 1/10/01 (dmjr) (Entered: 12/04/2000)
12/26/2000	<u>122</u>	ORDER by Judge Florence-Marie Cooper; Ptnr's atty is requested to complete the case mgt plan & budgeting forms in connection w/ the Evidentiary Hrg Req phase of this ptn. Atty sh also provide the Crt w/ a decl detailing & explaining the basis for the anticipated number of hours to be spent by lead cnsl & co-cnsl. This info sh be provided to the Crt nlt 1/31/01. Crt will thereafter iss its ord on the budget. (jag) (Entered: 12/27/2000)

08/17/2001	<u>144</u>	ORDER by Judge Florence-Marie Cooper granting application for enlargement of time to file motion for evidentiary hearing [143-1] ; IN COURT HEARING RE: evidentiary hearing set on 8/24/01 (shb) (Entered: 08/21/2001)
08/23/2001	<u>145</u>	APPLICATION filed by petitioner Noel Jackson for enlargement of time to and including 8/31/01 to file motion for evidentiary hearing Lodged proposed order (shb) (mgu). (Entered: 08/24/2001)
08/27/2001	<u>146</u>	ORDER by Judge Florence-Marie Cooper granting application for enlargement of time to and including 8/31/01 to file motion for evidentiary hearing [145-1] (shb) (Entered: 08/28/2001)
08/30/2001	<u>147</u>	APPLICATION filed by petitioner Noel Jackson for enlargement of time to file motion for evidentiary hearing Lodged proposed order (shb) (mgu). (Entered: 09/04/2001)
09/04/2001	<u>148</u>	ORDER by Judge Florence-Marie Cooper granting application for enlargement of time to file motion for evidentiary hearing [147-1]. The motion for evidentiary hearing is not due 9/14/01 (shb) (Main Document 148 replaced on 12/29/2016) (mgu). (Entered: 09/05/2001)
09/07/2001	<u>149</u>	NOTICE re withholding document from case file (shb) (mgu). (Entered: 09/10/2001)
09/13/2001	<u>152</u>	NOTICE by respondent Arthur Calderon of substitution of attorney. The new lead counsel for respondent is Lora Fox Martin (shb) (mgu). (Entered: 09/19/2001)
09/14/2001	<u>151</u>	REQUEST filed by petitioner Noel Jackson for evidentiary hearing (shb) (mgu). (Entered: 09/18/2001)
09/25/2001	<u>153</u>	APPLICATION filed by respondent Arthur Calderon for enlargement of time to 12/13/01 to oppose petitioner's motion for evidentiary hearing Lodged proposed order (shb) (mgu). (Entered: 09/26/2001)
09/27/2001	<u>154</u>	ORDER by Judge Florence-Marie Cooper granting application for enlargement of time to 12/13/01 to oppose petitioner's motion for evidentiary hearing [153-1] (shb) (mgu). (Entered: 09/28/2001)
10/01/2001	<u>157</u>	NOTICE by petitioner Noel Jackson of filing document under seal (shb) (mgu). (Entered: 10/11/2001)
10/09/2001	<u>155</u>	NOTICE OF DISCREPANCY AND ORDER by Judge Florence-Marie Cooper petitioner suppl decl of James Thompson in support of application for further Phave IV attorney budgeting filed under seal is to be filed and processed (shb) (Entered: 10/11/2001)
10/09/2001	<u>156</u>	NOTICE OF DISCREPANCY AND ORDER by Judge Florence-Marie Cooper petitioner confidential ex party phave IV supplementary funding applic received 10/1/01 is to be filed and processed (shb) (mgu). (Entered: 10/11/2001)
10/09/2001	<u>158</u>	NOTICE by petitioner Noel Jackson of document filed under seal (shb) (mgu). (Entered: 10/11/2001)
11/08/2001	<u>159</u>	NOTICE RE DOCUMENT WITHHELD FROM CASE FILE; document under seal. (gk) Modified on 01/22/2002 (mgu). (Entered: 01/22/2002)
11/08/2001	<u>160</u>	NOTICE RE DOCUMENT WITHHELD FROM CASE FILE; document under seal. (gk) (mgu). (Entered: 01/22/2002)
12/06/2001	<u>161</u>	APPLICATION filed by respondent for enlargement of time to 1/12/02 to file Opp to Petr's Mot for Evidentiary Hrg Lodged proposed ord (dw) (mgu). (Entered: 12/10/2001)

		to mot for evidentiary hrg is now due 8/27/02 (wm) (Entered: 08/02/2002)
08/26/2002	<u>179</u>	APPLICATION filed by petitioner Noel Jackson for an enlargement of 30 days until 9/26/02 to file rply to opp to mot for evidentiary hrg (wm) (mgu). (Entered: 08/30/2002)
08/28/2002	<u>178</u>	ORDER by Judge Florence-Marie Cooper granting application requesting that the rply to opp to mot for evidentiary hrg be due 7/28/02 [176-1]; Purs to ord the rply to opp to mot for evidentiary hrg is now due 9/26/02 (wm) (Entered: 08/29/2002)
09/05/2002	<u>180</u>	ORDER by Judge Florence-Marie Cooper hat the Order re Compensation of Associate Counsel [175-1], filed 8/26/02, was erroneously filed under seal. The Order shall be UNSEALED. (gk) Modified on 09/06/2002 (Entered: 09/06/2002)
09/27/2002	<u>181</u>	APPLICATION filed by petitioner Noel Jackson to extend time to file the rply to opp to mot for evidentiary hrg to 10/26/02 ; Lodged propsd ord (wm) (mgu). (Entered: 10/02/2002)
10/02/2002	<u>182</u>	ORDER by Judge Florence-Marie Cooper granting application to extend time to file the rply to opp to mot for evidentiary hrg to 10/26/02 [181-1] (wm) (mgu). (Entered: 10/03/2002)
10/21/2002	<u>183</u>	APPLICATION filed by petitioner Noel Jackson an enlargement of time of 15 days until 11/10/02 to file the Rply to opp to mot for eviden hrg ; Lodged propsd ord (wm) (mgu). (Entered: 10/22/2002)
10/23/2002	<u>184</u>	ORDER by Judge Florence-Marie Cooper granting application an enlargement of time of 15 days until to file the Rply to opp to mot for eviden hrg [183-1]; Purs to this ord the rply to opp to mot is now due 11/12/02 (wm) (Entered: 10/23/2002)
11/12/2002	<u>185</u>	APPLICATION filed by petitioner Noel Jackson for enlargement of time to file rply to opp to mot for eviden hrg Lodged ord (wm) (mgu). (Entered: 11/14/2002)
11/14/2002	<u>186</u>	ORDER by Judge Florence-Marie Cooper granting application for enlargement of time to file rply to opp to mot for eviden hrg [185-1]; Purs to this ord the rply to opp to mot for evidentiary hrg is now due 11/27/02 (wm) (Entered: 11/15/2002)
11/27/2002	<u>187</u>	REPLY by petitioner to Opposition to request for evidentiary hearing [151-1] (dw) (mgu). (Entered: 12/02/2002)
01/06/2003	<u>188</u>	SUPPLEMENT by petitioner Noel Jackson to reply to opp to req for evidentiary hrg [187-1] (wm) (mgu). (Entered: 01/09/2003)
03/11/2005	<u>189</u>	NOTICE of Change of Respondent's Counsel filed by attorney Bradley A. Weinreb on behalf of Respondent Arthur Calderon. (gk,) (mgu). (Entered: 03/16/2005)
03/22/2005	<u>192</u>	NOTICE of Lodgement of Supplemental Documents filed by Respondent Arthur Calderon. Lodged Documents. (gk,) (mgu). (Additional attachment(s) added on 5/1/2020: # <u>1</u> Lodg #192 NOL, # <u>2</u> Lodg Doc. 143, # <u>3</u> Lodg Doc. 144 Letter, # <u>4</u> Lodg Doc. 145) (cg). (Entered: 03/30/2005)
03/24/2005	<u>190</u>	NOTICE OF FILING Petition for Writ of Habeas Corpus Action Before the California Supreme Court and REQUEST to Hold Case Proceedings in abeyance filed by Petitioner Noel Jackson. (gk,) (mgu). (Entered: 03/28/2005)
03/29/2005	<u>191</u>	ORDER by Judge Florence-Marie Cooper Regarding Notice of Filing Petition for Writ of Habeas Corpus Action before the CA Supreme Court and Request to Hold Proceeding in Abeyance <u>190</u> . No later than 4/18/2005, Respondent shall file a response to Petitioner's request to hold the federal proceedings in abeyance pending the outcome of collateral state proceedings. (yl,) (Entered: 03/30/2005)

		in support of motion submitted by Petitioner Noel Jackson received on 3/26/07 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk.(gg,) (Entered: 04/20/2007)
03/29/2007		DOCUMENT number 208, Motion to Allow Counsel to Withdraw and Order deleted for the following reason: Must be processed as an order, the wrong event was used.(la,) (Entered: 04/20/2007)
03/29/2007	<u>208</u>	MOTION TO ALLOW COUNSEL TO WITHDRAW AND ORDER by Judge Florence-Marie Cooper. Declarations in support. It is hereby ordered that Saor E Stetler is relieved as counsel, and that James S Thomson will remain as counsel for petitioner. Attorney Saor E Stetler terminated.(mrgo,) (Entered: 04/20/2007)
07/25/2007	<u>210</u>	NOTICE OF MOTION AND MOTION to Modify the Abeyance Order by Temporarily Lifting Stay to Allow Petitioner to File an Amended Complaint filed by Petitioner Noel Jackson. Motion set for hearing on 9/17/2007 at 10:00 AM before Judge Florence-Marie Cooper. (gk) (mgu). (Entered: 07/27/2007)
07/25/2007	<u>211</u>	AMENDED PETITION FOR WRIT OF HABEAS CORPUS <u>76</u> against Respondent Arthur Calderon filed by Petitioner Noel Jackson. (gk) ** PURSUANT TO THE CIVIL MINUTES OF 7/31/2007 <u>212</u> AND THE NOTICE OF CLERICAL ERROR FILED 7/31/2007 <u>213</u> , THIS DOCUMENT IS LODGED STAMPED ** Modified on 7/31/2007 (gk,). (mgu). (Main Document 211 replaced on 1/3/2017) (mgu). (Additional attachment(s) added on 1/3/2017: # <u>1</u> doc 3531 - Part 2, # <u>2</u> doc 3531 - Part 3, # <u>3</u> doc 3531 - Part 4) (mgu). (Entered: 07/27/2007)
07/27/2007	<u>209</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Judge Florence-Marie Cooper, ORDERING Notice of Motion to Modify Abeyance Order, Amended Petition submitted by Petitioner Noel Jackson received on 7/26/2007 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk. Mr. Thompson called and asked to provide two copies of each for the Court. (gk) (Entered: 07/27/2007)
07/31/2007	<u>212</u>	MINUTES OF IN CHAMBERS ORDER CLARIFYING STATUS OF MOTION AND PETITION by Judge Florence-Marie Cooper : re: Amended Petition for Writ of Habeas Corpus <u>211</u> , MOTION to Amend/Correct <u>210</u> . Petitioner's Motion to Modify the Abeyance Order (docket #210) was filed on July 25, 2007. The Amended Petition, filed on July 25, 2007 (docket #211) should have been LODGED, not filed. The Court hereby ORDERS the Amended Petition to be LODGED, only, not filed. The Motion remains set for hearing on September 17, 2007 at 10:00 a.m.(ama) . (Entered: 07/31/2007)
07/31/2007	<u>213</u>	NOTICE OF CLERICAL ERROR: Due to clerical error, the Amended Petition for Writ of Habeas Corpus <u>211</u> was filed stamped 7/25/2007. Pursuant to the Civil Minutes of 7/31/2007 <u>212</u> , the Amended Petition is now lodged stamped 7/25/2007, and has been forwarded to chambers pending the Motion to Modify Abeyance Order by Temporarily Lifting Stay to Allow Petitioner to File an Amended Complaint <u>210</u> currently set for hearing on 9/17/2007. (gk) (Entered: 07/31/2007)
08/14/2007	<u>214</u>	NOTICE OF DOCUMENT DISCREPANCY AND ORDER by Judge Florence-Marie Cooper, ORDERING Proof of Service re Motion to Modify Abeyance Order submitted by Petitioner Noel Jackson received on 8/13/2007 is not to be filed but instead rejected. Denial based on: No caption, no face page, no blue back.(gk) (Entered: 08/15/2007)
08/16/2007	<u>217</u>	Response to petitioner's MOTION to temporarily lift Stay to allow filing of amended petition <u>210</u> ; filed by Respondent(ear) (mgu). (Entered: 08/28/2007)
08/22/2007	<u>215</u>	MINUTES OF IN CHAMBERS ORDER GRANTING LEAVE TO FILE AMENDED PETITION by Judge Florence-Marie Cooper : re: Amended Petition for Writ of Habeas

		Exhibit 6.6, # <u>15</u> Exhibit 7, # <u>16</u> Exhibit 8, # <u>17</u> Exhibit 9.1, # <u>18</u> Exhibit 9.2, # <u>19</u> Exhibit 10, # <u>20</u> Exhibit 11, # <u>21</u> Exhibit 12.1, # <u>22</u> Exhibit 12.2, # <u>23</u> Exhibit 13.1, # <u>24</u> Exhibit 13.2)(Thomson, James) (Entered: 07/13/2012)
07/24/2012	<u>227</u>	UNOPPOSED EX PARTE APPLICATION TO Vacate Hearing Date on Motion to Expand the Record to Include Exhibits 1-13 <u>226</u> filed by Respondent Arthur Calderon. (Weinreb, Bradley) Modified on 7/30/2012 (kbr). (Entered: 07/24/2012)
07/27/2012	<u>228</u>	MINUTE ORDER IN CHAMBERS by Judge Michael W Fitzgerald. Respondent's Unopposed Ex Parte Application to Vacate the Hearing Date on Petitioner's Motion to the Expand the Record <u>227</u> is GRANTED. Petitioner's Motion to Modify Abeyance Order By Temporarily Lifting Stay <u>225</u> remains on calendar for August 27, 2012, at 10:00 a.m. Initials (kbr) (Entered: 07/30/2012)
08/01/2012	<u>229</u>	OPPOSITION TO MOTION TO LIFT THE STAY OF PROCEEDINGS AND MEMORANDUM OF POINTS AND AUTHORITIES filed by Respondent Arthur Calderon. (Weinreb, Bradley) (Entered: 08/01/2012)
08/12/2012	<u>230</u>	REPLY Support MOTION to Lift Stay re Proceeding <u>225</u> To Expand the Record filed by Petitioner Noel Jackson. (Attachments: # <u>1</u> Attachment A - In re Jackson, California Supreme Court Case No. S201322 - Informal Response, # <u>2</u> Attachment B - In re Jackson, California Supreme Court Case No. S201322 - July 30, 2012 Order)(Thomson, James) (Entered: 08/12/2012)
08/27/2012	<u>231</u>	MINUTES OF Motion Hearing held before Judge Michael W Fitzgerald re: MOTION TO MODIFY ABEYANCE ORDER BY TEMPORARILY LIFTING STAY TO ALLOW PETITIONER TO FILE A MOTION TO EXPAND THE RECORD <u>225</u> and MOTION TO EXPAND THE RECORD <u>226</u> . The Court hears oral argument from counsel and takes the matter under submission.Court Reporter: Rosalyn Adams. (kbr) (Entered: 08/28/2012)
12/20/2012	<u>232</u>	STATUS REPORT <i>Regarding Progress of the State Court Habeas Corpus Proceedings</i> filed by Petitioner Noel Jackson. (Thomson, James) (Entered: 12/20/2012)
04/02/2013	<u>233</u>	ORDER by Judge Michael W. Fitzgerald DENIES Petitioner's Motion to Modify Abeyance Order by Temporarily Lifting Stay to Allow Petitioner to File a Motion to Expand the Record and Supporting Exhibits <u>225</u> . Petitioner shall have ten (10) business days from the date of this order to contact the Courtroom Deputy to arrange for the retrieval of all documents filed in connection with his Motion to Expand the Record. If no arrangements are made for the retrieval of these documents, they will be destroyed. (jp) (Entered: 04/03/2013)
06/21/2013	<u>234</u>	STATUS REPORT <i>Re Progress of State Court Habeas Corpus Proceedings</i> filed by Petitioner Noel Jackson. (Thomson, James) (Entered: 06/21/2013)
12/20/2013	<u>235</u>	STATUS REPORT <i>Regarding Progress of the State Court Habeas Corpus Proceedings</i> filed by Petitioner Noel Jackson. (Thomson, James) (Entered: 12/20/2013)
04/17/2014	<u>236</u>	NOTICE of the California Supreme Court's Denial of Petitioner's Fourth State Petition for Writ of Habeas Corpus Noel Jackson. (Attachments: # <u>1</u> Attachment A)(Thomson, James) (Entered: 04/17/2014)
04/17/2014	<u>237</u>	NOTICE OF MOTION AND MOTION for Reconsideration re Order on Motion to Lift Stay on Case,, <u>233</u> to File a Motion to Expand the Record Noel Jackson. Motion set for hearing on 6/2/2014 at 10:00 AM before Judge Michael W. Fitzgerald. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Attachment A)(Thomson, James) (Entered: 04/17/2014)
05/12/2014	<u>238</u>	OPPOSITION to Motion for Reconsideration re Order Denying the Motion to Lift Stay re: MOTION for Reconsideration re Order on Motion to Lift Stay on Case,, <u>233</u> to File a

10/28/2016	<u>252</u>	ORDER REGARDING THE SUBMISSION OF MANDATORY CHAMBERS COPIES IN CAPITAL HABEAS CORPUS CASES by Judge Michael W. Fitzgerald: As part of the Court's ongoing efforts to minimize the submission of documents not in electronic format, unless directed to do so by the Court, the parties shall no longer provide Mandatory Chambers Copies, as required by Local Rule 5-4.5, to the Capital Habeas Staff Attorneys (f/k/a Death Penalty Law Clerks). However, the parties shall continue to provide Mandatory Chambers Copies directly to the Court as prescribed in the Local Rules. (bm) (Entered: 10/28/2016)
11/10/2016	<u>253</u>	NOTICE TO PARTIES by District Judge Michael W. Fitzgerald. Effective November 17, 2016, Judge Fitzgerald will be located at the 1st Street Courthouse, COURTROOM 5A on the 5th floor, located at 350 W. 1st Street, Los Angeles, California 90012. All Court appearances shall be made in Courtroom 5A of the 1st Street Courthouse, and all mandatory chambers copies shall be hand delivered to the judge's mail box outside the Clerk's Office on the 4th floor of the 1st Street Courthouse. The location for filing civil documents in paper format exempted from electronic filing and for viewing case files and other records services remains at the United States Courthouse, 312 North Spring Street, Room G-8, Los Angeles, California 90012. The location for filing criminal documents in paper format exempted from electronic filing remains at Edward R. Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Room 178, Los Angeles, California 90012. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rrp) TEXT ONLY ENTRY (Entered: 11/10/2016)
12/31/2016	<u>256</u>	STATUS REPORT <i>re Progress of the State Court Habeas Corpus Proceedings; Request to Lift Stay; And Request for Briefing Schedule</i> filed by Petitioner Noel Jackson. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B)(Thomson, James) (Entered: 12/31/2016)
01/21/2017	<u>258</u>	STATUS REPORT <i>Supplement</i> filed by Petitioner Noel Jackson. (Attachments: # <u>1</u> Attachment A)(Thomson, James) (Entered: 01/21/2017)
02/10/2017	<u>259</u>	ORDER LIFTING STAY AND CASE MANAGEMENT ORDER by Judge Michael W. Fitzgerald. The Court's order of May 11, 2005 staying these proceedings and holding the Second Amended Petition in abeyance is hereby VACATED. (See attached document for other requirements.) (lom) (Entered: 02/10/2017)
02/14/2017	<u>260</u>	RESPONSE filed by Petitioner Noel Jackson to Order,, Set/Clear Flags, <u>259</u> (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Attachment C, # <u>4</u> Attachment D) (Thomson, James) (Entered: 02/14/2017)
02/23/2017	<u>262</u>	NOTICE OF REASSIGNMENT of California Attorney General Office Lise S. Jacobson on behalf of respondent Arthur Calderon. California Attorney General Holly D Wilkens terminated. (Attorney Lise S Jacobson added to party Arthur Calderon(pty:res))(Jacobson, Lise) (Entered: 02/23/2017)
02/23/2017	<u>263</u>	NOTICE OF APPEARANCE of California Attorney General Office Lise S. Jacobson on behalf of respondent Arthur Calderon. (Jacobson, Lise) (Entered: 02/23/2017)
03/10/2017	<u>264</u>	Joint Statement Regarding Record-Based Claims filed by Petitioner Noel Jackson (Thomson, James) (Entered: 03/10/2017)
03/29/2017	<u>265</u>	ORDER FOR BRIEFING by Judge Michael W. Fitzgerald, the Court orders as follows: (1) On or before 8/28/2017 Petitioner shall file a brief on the merits of Claims A, E, I, K, M, N, O, P, T, U, V, W, X, FF, GG, HH, and JJ. The brief shall not exceed 150 pages, excluding tables of contents and authorities. (2) Within 120 days of the date on which Petitioner files his merits brief, Respondent shall file a responsive brief not to exceed 150 pages, excluding tables of contents and authorities. (3) Within 90 days of the date of the

		James) (Entered: 06/20/2018)
06/20/2018	<u>280</u>	ORDER REGARDING PETITIONER'S UNOPPOSED EX PARTE APPLICATION TO FILE A REPLY TO RESPONDENT'S RESPONSE TO PETITIONER'S MERITS BRIEF THAT IS OVER THE PAGE LIMIT by Judge Michael W. Fitzgerald. GOOD CAUSE APPEARING, petitioner's ex parte application to file a reply brief that is over the page limit is HEREBY GRANTED and the reply brief is ordered filed. (iv) (Entered: 06/20/2018)
01/29/2021	281	SCHEDULING NOTICE AND ORDER by Judge Michael W. Fitzgerald. On the Court's own motion, a hearing on the Petition For Writ of Habeas Corpus Petition is set for hearing on 2/23/2021 at 1:30 PM before Judge Michael W. Fitzgerald. The hearing will be held by video conference. The VTC information will be sent to counsel by email today. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rs) TEXT ONLY ENTRY (Entered: 01/29/2021)
02/16/2021	<u>282</u>	STATUS REPORT <i>Regarding Petition for Writ of Habeas Corpus Hearing</i> filed by Petitioner Noel Jackson. (Thomson, James) (Entered: 02/16/2021)
02/22/2021	283	SCHEDULING NOTICE AND ORDER by Judge Michael W. Fitzgerald. Arguments at the hearing scheduled for February 23, 2021 shall be limited to the following issues: (1) the merits of the Batson claim; and (2) if the Batson claim is granted, whether the other guilt-phase claims should be denied as moot or granted/denied on the merits. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rs) TEXT ONLY ENTRY (Entered: 02/22/2021)
02/23/2021	<u>284</u>	<i>Supplemental Authorities Regarding Claim K - The Trial Court Erred in Denying Petitioner's Batson Motion</i> (Thomson, James) (Entered: 02/23/2021)
02/23/2021	<u>285</u>	MINUTES OF VTC PETITION FOR WRIT OF HABEAS CORPUS held before Judge Michael W. Fitzgerald. Case called, and counsel make their appearance. The Court invites counsel to present their oral arguments. Arguments by counsel are heard. For the reasons stated on the record, the Court takes the matter under submission. An order will issue. Court Reporter: Laura Elias. (iv) (Entered: 02/24/2021)
02/25/2021	<u>286</u>	MINUTES (IN CHAMBERS) ORDER RE LODGED DOCUMENTS by Judge Michael W. Fitzgerald. On or before March 4, 2021, Respondent shall lodge copies of the Juror Questionnaires in this case. (iv) (Entered: 02/25/2021)
03/02/2021	<u>287</u>	<i>Supplemental Authorities Regarding Claim K - The Trial Court Erred in Denying Petitioners Batson Motion</i> (Attachments: # <u>1</u> Appendix A)(Thomson, James) (Entered: 03/02/2021)
03/02/2021	<u>288</u>	Respondent's Briefing on Petitioner's Supplemental Authorities filed by Respondent Arthur Calderon (Jacobson, Lise) (Entered: 03/02/2021)
03/04/2021	<u>289</u>	APPLICATION to file document <i>/for Leave to Lodge Juror Questionnaires</i> under seal filed by Respondent Arthur Calderon. (Attachments: # <u>1</u> Declaration of Lise Jacobson in Support of Application for Leave)(Jacobson, Lise) (Entered: 03/04/2021)
03/04/2021	<u>290</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Application to file under seal <u>289</u> . The following error(s) was/were found: Proposed order not submitted pursuant to Local Rule 52-4.1. A Word or Wordperfect version of the proposed order should also be emailed to the chambers generic email address. Pursuant to Local Rule 5-4.4.1- Proposed orders not lodged with a main document shall be electronically lodged as an attachment to a Notice of Lodging. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the

		document stricken; or (3) take other action as the Court deems appropriate. (iv) (Entered: 02/14/2022)
02/16/2022	<u>302</u>	NOTICE OF MOTION AND MOTION to Stay Case pending Judgement Pending Appeal filed by Respondent Arthur Calderon. (Attachments: # <u>1</u> Proposed Order) (Jacobson, Lise) (Entered: 02/16/2022)
02/17/2022	<u>303</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Motion to Stay Case <u>302</u> . The following error(s) was/were found: Hearing information is missing, incorrect, or not timely. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the document stricken; or (3) take other action as the Court deems appropriate. You need not take any action in response to this notice unless and until the Court directs you to do so. (iv) (Entered: 02/17/2022)
02/17/2022	<u>304</u>	EX PARTE APPLICATION to Exceed Page Limitation (Brief in Opposition to Stay of Judgment Pending Appeal) filed by Petitioner Noel Jackson. (Attachments: # <u>1</u> Proposed Order) (Thomson, James) (Entered: 02/17/2022)
02/17/2022	<u>305</u>	MEMORANDUM in Opposition to NOTICE OF MOTION AND MOTION to Stay Case pending Judgement Pending Appeal <u>302</u> (<i>Brief in Opposition to Stay of Judgment Pending Appeal</i>) filed by Petitioner Noel Jackson. (Attachments: # <u>1</u> Proposed Order) (Thomson, James) (Entered: 02/17/2022)
02/18/2022	<u>306</u>	ORDER GRANTING PETITIONER'S EX PARTE APPLICATION TO FILE A BRIEF IN OPPOSITION TO STAY OF JUDGMENT PENDING APPEAL THAT IS OVER THE PAGE LIMIT <u>304</u> by Judge Michael W. Fitzgerald. The brief in opposition (Docket No. 305) is accepted as filed. (iv) (Entered: 02/18/2022)
04/21/2022	<u>307</u>	Request for Entry of Final Judgment and Resolution of Motion for Stay of Judgment filed by Petitioner Noel Jackson re: NOTICE OF MOTION AND MOTION to Stay Case pending Judgement Pending Appeal <u>302</u> , REQUEST for Judgment <i>Based Solely on the Batson Claim and that the Court Not Address the Remainder of the Guilt-Phase Claims</i> <u>300</u> , MEMORANDUM in Opposition to Motion, <u>305</u> (Thomson, James) (Entered: 04/21/2022)
04/25/2022	<u>308</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Request <u>307</u> . The following error(s) was/were found: Proposed order not submitted pursuant to Local Rule 52-4.1. A Word or Wordperfect version of the proposed order should also be emailed to the chambers generic email address. Pursuant to Local Rule 5-4.4.1- Proposed orders not lodged with a main document shall be electronically lodged as an attachment to a Notice of Lodging. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the document stricken; or (3) take other action as the Court deems appropriate. (iv) (Entered: 04/25/2022)
04/27/2022	<u>309</u>	SUPPLEMENT to NOTICE OF MOTION AND MOTION to Stay Case pending Judgement Pending Appeal <u>302</u> filed by Respondent Arthur Calderon. (Jacobson, Lise) (Entered: 04/27/2022)
09/29/2022	<u>310</u>	JUDGMENT by Judge Michael W. Fitzgerald. IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Second Amended Petition is CONDITIONALLY GRANTED and that the judgment of conviction and sentence for life without possibility for parole for the murder of Sonja Niles in the matter of People v. Jackson, Case No. CR-23480, in the Superior Court of the State of California for the County of Riverside, be VACATED. (MD JS-6, Case Terminated). (iv) (Entered: 09/30/2022)
09/29/2022	<u>311</u>	ORDER GRANTING MOTION FOR STAY OF JUDGMENT PENDING APPEAL <u>302</u> by Judge Michael W. Fitzgerald. IT IS HEREBY ORDERED that the Order Granting Relief on Claim K in the Petition for Writ of Habeas Corpus, filed February 9, 2022, and

08/13/2024	<u>325</u>	Letter from Petitioner Noel Jackson. (iv) (Entered: 08/15/2024)
08/14/2024	<u>331</u>	Letter from Petitioner. (iv) (Entered: 08/20/2024)
08/14/2024	<u>332</u>	Letter from Petitioner. (iv) (Entered: 08/20/2024)
08/16/2024	<u>326</u>	SCHEDULING NOTICE and ORDER by Judge Michael W. Fitzgerald. On the Court's own motion, a Zoom Status Conference is set for 8/20/2024 at 10:00 AM before Judge Michael W. Fitzgerald. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rs) TEXT ONLY ENTRY (Entered: 08/16/2024)
08/17/2024	<u>327</u>	Notice of Electronic Filing re Text Only Scheduling Notice, 326 e-mailed to ethan@ycbtal.net bounced due to 5.1.0 - Unknown address error. The primary e-mail address associated with the attorney record has been deleted. Pursuant to Local Rules it is the attorneys obligation to maintain all personal contact information including e-mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rolm) TEXT ONLY ENTRY (Entered: 08/17/2024)
08/18/2024	<u>328</u>	DECLARATION of James Thomson <i>in Light of Court Ordered August 20, 2024 Zoom Status Conference</i> filed by Petitioner Noel Jackson. (Thomson, James) (Entered: 08/18/2024)
08/19/2024	<u>329</u>	NOTICE of Appearance filed by attorney Daniel Brian Rogers on behalf of Respondent Arthur Calderon (Attorney Daniel Brian Rogers added to party Arthur Calderon(pty:res)) (Rogers, Daniel) (Entered: 08/19/2024)
08/19/2024	<u>330</u>	STATUS REPORT filed by Respondent Arthur Calderon. (Rogers, Daniel) (Entered: 08/19/2024)
08/20/2024	<u>333</u>	MINUTES OF Zoom Status Conference held before Judge Michael W. Fitzgerald: Following discussion with counsel, the Court ORDERED that the deadline to retry or release Petitioner is EXTENDED to Defendants current trial date, October 3, 2024. SEE DOCUMENT FOR FURTHER INFORMATION. Court Reporter: Miriam Baird. (twdb) (Entered: 08/20/2024)
09/23/2024	<u>334</u>	STATUS REPORT filed by Respondent Arthur Calderon. (Rogers, Daniel) (Entered: 09/23/2024)
09/23/2024	<u>335</u>	CERTIFICATE OF SERVICE filed by Respondent Arthur Calderon, re Status Report <u>334</u> served on 9/23/2024. (Rogers, Daniel) (Entered: 09/23/2024)
09/24/2024	<u>336</u>	ORDER by Judge Michael W. Fitzgerald. The Court has reviewed the Status Report <u>334</u> filed September 23, 2024. The Court's previous Order <u>333</u> remains in effect. The deadline to retry or release Petitioner remains set for his current trial date, October 3, 2024. If Petitioner's trial in the Riverside County Superior Court will not commence on or before that date, the parties are ORDERED to immediately advise the Court so that further action, if warranted, can be taken. Counsel are further ORDERED to serve this Order on the Riverside County District Attorneys Office no later than September 27, 2024. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (smom) TEXT ONLY ENTRY (Entered: 09/24/2024)
10/10/2024	<u>337</u>	STATUS REPORT filed by Respondent Arthur Calderon. (Rogers, Daniel) (Entered: 10/10/2024)
10/11/2024	<u>338</u>	ORDER by Judge Michael W. Fitzgerald. The Court has reviewed the Status Report <u>337</u> filed October 10, 2024. The Court EXTENDS the deadline to retry or release Petitioner to his current trial date, October 16, 2024. If Petitioner's trial in the Riverside County Superior Court will not commence on or before that date, the parties are ORDERED to immediately advise the Court so that further action, if warranted, can be taken. Counsel

11/19/2025	352	SCHEDULING NOTICE and ORDER by Judge Michael W. Fitzgerald. The Court has reviewed the parties' briefs on petitioner's Motion for Release of Petitioner. (Dkt. 347.) In his Reply, filed November 18, 2025, petitioner reported that his trial was set to begin today, November 19, 2025. (Dkt. 351 at 1.) Petitioner is directed to file a further status report in support of his motion no later than December 3, 2025, if his trial has not commenced by that date. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rs) TEXT ONLY ENTRY (Entered: 11/19/2025)
11/22/2025	353	STATUS REPORT filed by Petitioner Noel Jackson. (Attachments: # <u>1</u> Exhibit) (Thomson, James) (Entered: 11/22/2025)
11/24/2025	354	ORDER by Judge Michael W. Fitzgerald. On November 19, 2025, this Court directed Petitioner to file a further status report in support of his Motion for Release no later than December 3, 2025, if his trial had not commenced by that date. (Docket No. 352). On November 22, 2025, Petitioner's federal habeas counsel reported that Petitioner's trial was continued to January 22, 2026, at the request of Petitioner's trial counsel. (Docket No. 353 at 1). Although federal counsel notes that Petitioner himself objected to his counsel's request (id.), if Petitioner has a conflict with his state trial counsel, that is a matter for the state court to address. Accordingly, Petitioner's Motion for Release (Docket No. 347) is DENIED. IT IS SO ORDERED. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (smom) TEXT ONLY ENTRY (Entered: 11/24/2025)

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Description:	Docket Report	Search Criteria:	2:97-cv-03531-MWF End date: 6/15/2026
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Attorney for Petitioner
NOEL JACKSON, JR.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

NOEL JACKSON, JR.,

Petitioner,

vs.

LEANNA LUNDY, Acting Warden
at California State Prison – Los
Angeles County,

Respondent.

Case No. 2:97-cv-03531-MWF

**MOTION FOR RELEASE OF
PETITIONER, EXHIBITS AND
DECLARATION OF COUNSEL**

Honorable Michael W. Fitzgerald

Petitioner, Noel Jackson, hereby seeks his release from custody given that the State of California did not grant him a new trial by October 3, 2024 or January 9, 2025. *Jackson v. Calderon*, Case No. 2:97-cv-03531-MWF Civil Docket Report ("Doc") #310, #333.

This motion is based on the record in this case, the attached memorandum and exhibits and the declaration of counsel.

Dated: October 15, 2025

Respectfully submitted,

/s/ James S. Thomson

JAMES S. THOMSON

Attorney for Petitioner
NOEL JACKSON, JR.

"APPENDIX D"

1
2 **MEMORANDUM**

3 **I. INTRODUCTION**

4 Mr. Jackson asks this Court to release him from custody because he was not
5 brought to trial within the 120 day time period ordered by this Court, or by the
6 time allowed through his time waivers. Doc #310, #333.

7 Mr. Jackson first appeared in Riverside Superior Court on May 30, 2025
8 following remand to the trial court. He initially waived time to be tried to allow
9 counsel time to prepare for trial. Exhibit A. (July 5, 2024, October 15, 2024,
10 November 25, 2024, and December 2, 2024 Minute Orders). Mr. Jackson then
11 objected to the continuance of trial on several occasions beginning in 2025.
12 Exhibit A. (January 9, 2025, March 24, 2025, June 10, 2025, and August 11, 2025
Minute Orders.

13 On September 2, 2025, Mr. Jackson waived time in order to litigate his pro
14 se motion to dismiss under the California Racial Justice Act, which was filed
15 almost a year earlier. Exhibit A.

16 In addition to objecting to continuances, Mr. Jackson made a pro se motion
17 to be released and to dismiss the case on November 25, 2024. Exhibit A. His
18 counsel filed a motion to dismiss for violation of his speedy trial rights and this
19 Court's habeas order on May 7, 2025. Exhibit B. Mr. Jackson also filed a pro se
20 motion to execute writ order in this Court on June 3, 2025. Doc #344. Each of the
21 state motions were denied and the federal motion was struck by the court. Doc
22 #345.

23 **II. PROCEDURAL HISTORY**

24 On February 9, 2022, this Court granted relief on the *Batson* claim raised in
25 the second amended petition. Doc #299.

26 On February 16, 2022, respondent filed a motion to stay the case pending
27 judgment pending appeal. Doc #302. On February 17, 2022, Mr. Jackson filed an
28 opposition to the motion. Doc #305.

1 On September 29, 2022, this Court issued the judgment and vacated Mr.
2 Jackson's conviction and sentence. Doc #312. This Court stated: "IT IS
3 FURTHER ORDERED that, within 120 days of the date of this Judgment, the
4 State of California shall either release Petitioner or grant him a new trial in
5 accordance with applicable California law and the United States Constitution." *Id.*
6 On the same day, this Court entered a stay until the Court of Appeals issued a
7 mandate or the Attorney General provided notice that the State will not file an
8 appeal. Doc #313.

9 On October 6, 2022, respondent filed a notice of appeal. Doc #314.

10 On April 1, 2024, the Court of Appeals affirmed this Court's granting of the
11 petition for writ of habeas corpus. *Jackson v. Broomfield*, Ninth Circuit Case No.
12 22-55937, Circuit Docket Report "Circuit Doc" #48. On April 23, 2024, the Court
13 of Appeals issued the mandate. Circuit Doc #49.

14 Pursuant to the September 29, 2022 orders, the stay was lifted on April 23,
15 2024. Doc #312. At that point, Mr. Jackson should have been released or granted
16 a new trial within 120 days - August 21, 2024.

17 On May 30, 2024, Mr. Jackson appeared in Riverside Superior Court. A
18 jury trial was set to begin on October 3, 2024, with a trial readiness conference set
19 for September 16, 2024. Exhibit A at 18.

20 On June 13, 2024, attorney Bosky Kathuria was appointed to represent Mr.
21 Jackson. Exhibit A at 16.

22 On July 5, 2024, the court found good cause to continue the case at the
23 request of defense counsel. Mr. Jackson agreed to waive time for trial to October
24 3, 2024, with the last day being October 16, 2024. Exhibit A at 16.

25 On August 20, 2024, this Court "ORDERED that the deadline to retry or
26 release Petitioner is EXTENDED to Defendant's current trial date, October 3,
27 2024." Doc #333.

28

1 On September 16, 2024, Mr. Jackson moved to represent himself at trial.
2 The court granted the motion. Mr. Jackson's appointed counsel was relieved, and
3 an investigator was appointed. The October 3, 2024 trial date was confirmed.
4 Exhibit A at 15.

5 On September 23, 2024, Mr. Jackson filed a pro se motion under
6 California's Racial Justice Act. California Penal Code § 745. A hearing on the
7 motion was originally set for October 17, continued to October 31, and then set for
8 November 25, 2024. Exhibit A at 14.

9 On October 3, 2024, the trial court heard a motion by the district attorney
10 seeking reconsideration of the order granting Mr. Jackson pro per status. At the
11 hearing, the trial court appointed a doctor to examine Mr. Jackson and assess his
12 ability to represent himself at trial. The jury trial was trailed to October 16, 2024,
13 the last day allowed by the July 5, 2024 time waiver. Exhibit A at 14. Doc #337.

14 On October 9 and 15, 2024, expert reports were filed under seal in the trial
15 court. The hearing on Mr. Jackson's ability to continue to represent himself was
16 continued to October 14, 15, 31, and then November 25, 2024. Exhibit A at 13.

17 On October 16, 2024, the trial was trailed to October 31 and then set for
18 November 25, 2024 with a last day of December 5, 2024. Mr. Jackson agreed to
19 waive time for trial. Exhibit A at 11.

20 On November 14, 2024, respondent filed a motion for relief from further
21 judgement or order in this Court under Federal Rules of Civil Procedure 60(b)(5).
22 Doc #342. On November 15, 2024, this Court ordered respondent's motion
23 "DISMISSED as unripe." Doc #343.

24 On November 25, 2024, a stipulation was entered into to vacate the trial
25 date and reset it for December 2, 2024, with a last day of December 12, 2024. Mr.
26 Jackson either made an oral motion or filed a motion to be released and have his
27 case dismissed. He submitted documents in support of the motion. The court read
28 and considered the documents and denied the motion. Exhibit A at 10.

1 On December 2, 2024, Mr. Jackson withdrew his *Faretta* request. New
2 counsel was appointed, and the trial date was vacated. Mr. Jackson waived time
3 for trial until January 9, 2025, with an outside date of February 10, 2025. Exhibit
4 A at 9.

5 On January 9, 2025, Jeff Moore was appointed to represent Mr. Jackson.
6 Counsel took the motions off calendar. Mr. Jackson objected to any continuance
7 of the trial. The court continued the jury trial until March 24, 2025, with an
8 outside date of April 23, 2025. Exhibit A at 8.

9 On March 24, 2025, counsel filed a motion to continue the trial. Mr.
10 Jackson objected to the continuance. The court continued the trial until June 10,
11 2025 with the last day set for June 20, 2025. Exhibit A at 8.

12 On May 7, 2025, counsel filed a non-statutory motion to dismiss for the
13 denial of speedy trial for violation of a court order in the superior court. Exhibit B
14 at 21.

15 On June 3, 2025, Mr. Jackson mailed for filing a pro se motion to execute
16 writ order in this Court. Doc #344.

17 On June 10, 2025, a stipulated motion to continue the trial was granted. Mr.
18 Jackson objected to the motion. The court continued the trial to August 11, 2025,
19 with the last date set for August 21, 2025. Exhibit A at 7.

20 On June 27, 2025, the district attorney filed an opposition to the non-
21 statutory motion to dismiss for denial of a speedy trial. Exhibit B at 39.

22 In response to Mr. Jackson's pro se motion to execute writ order, on June
23 30, 2025, this Court noted that the docket in Mr. Jackson's retrial proceedings
24 "shows that retrial proceedings were begun on May 30, 2024, and Petitioner
25 appears to have waived his time for trial on certain occasions since." Doc #345.
26 The Court also noted that "on May 7, 2025, Petitioner filed a motion to dismiss for
27 denial of speedy trial. The motion was set for hearing on June 10, 2025, at which
28 time the parties stipulated to continue the hearing to July 10, 2025." *Id.* The

1 Court observed that “[t]he docket also shows an upcoming hearing on Petitioner’s
2 Motion to Dismiss Under Racial Justice Act set for July 30, 2025, and the
3 scheduled beginning of Petitioner’s jury trial on August 11, 2025.” *Id.*

4 On July 10, 2025, a hearing on the motion to dismiss for denial of speedy
5 trial was held. Exhibit A at 6. On July 15, 2025, the court denied the motion.
6 Exhibit B, Minute Order at 82. The court set the jury trial for August 11, 2025.
7 *Id.* at 5-6.

8 On July 23, 2025, the district attorney filed an opposition to the RJA
9 Motion. Exhibit A at 5. On July 30, 2025, the RJA Motion hearing was continued
10 to August 11, 2025. Exhibit A at 5.

11 On August 11, 2025, counsel filed a motion to continue the trial. Exhibit A
12 at 4. Mr. Jackson objected to the continuance. The court granted the motion and
13 continued the trial to September 4, 2025. On the same day, Mr. Jackson filed a
14 *Marsden* motion. The motion was denied. *Id.*

15 On September 2, 2025, counsel filed a motion to continue the trial. Exhibit
16 A at 3. On September 4, 2025, the jury trial was continued to November 3, 2025,
17 with the last day set for December 2, 2025. *Id.* Mr. Jackson did not object to a
18 continuance to litigate the RJA motion to dismiss. At that time, the RJA motion
19 had been pending for close to 12 months. Mr. Jackson asserts that he did object to
20 a continuance of the trial but agreed to continue the RJA motion. Counsel
21 Declaration at ¶ 4.

22 On September 19, 2025, the RJA Motion hearing was continued to October
23 17, 2025. Exhibit A at 3.

24 Trial is currently set for November 3, 2025. Exhibit A.

25 **III. MOTION FOR RELEASE**

26 Mr. Jackson has waited long enough. He initially waived time to allow
27 counsel to prepare for trial. He then requested to represent himself and later
28 withdrew that request. He then began to object to the delay in going to trial.

1 Mr. Jackson made a pro se motion to dismiss arguing that this Court's order
2 was violated because he was not brought to trial within the time frame set by this
3 Court. He continued to object to any continuance starting in January 2025.
4 Counsel for Mr. Jackson filed a non-statutory motion to dismiss for denial of
5 speedy trial for violation of the Court's order. The objections and motions were to
6 no avail.

7 Mr. Jackson was to be brought to trial by April 23, 2024, later extended by
8 this Court to October 3, 2024. Trial is now set for November 3, 2025. Trial is
9 scheduled some 13 months after the original deadline set by this Court. Even if
10 the control date is January 9, 2025 when Mr. Jackson objected to the continuance
11 of the trial, it would be 10 months after the deadline. Under either scenario, it is
12 well past the 120 days originally set by this Court.

13 Mr. Jackson asks this Court to release him from custody.

14 **IV. CONCLUSION**

15 Based on the foregoing, Mr. Jackson seeks his release from custody given
16 that the State of California did not grant him a new trial by October 3, 2024 or
17 January 9, 2025.

18
19 Dated: October 15, 2025

Respectfully submitted,

20 /s/ James S. Thomson

21 JAMES S. THOMSON

22 Attorney for Petitioner
23 NOEL JACKSON, JR.
24
25
26
27
28

DECLARATION OF COUNSEL

I, James S. Thomson, declare:

1. I am an attorney licensed to practice law in the State of California and before this Court. I was appointed to represent petitioner in this matter. *Jackson v. Calderon*, C.D. Cal. Case No. 2:97-cv-03531-MWF Civil Docket Report #9.

2. I have reviewed Exhibits A and B attached to this motion. The dates and matters set out in the procedural history section and referenced in the motion for release section were taken from those exhibits.

3. I have communicated with Noel Jackson's trial counsel in Riverside, Jeff Moore. On October 8, 2025, Mr. Moore informed me that Mr. Jackson waived time on September 4, 2024 but for the purpose of ensuring that his motion to dismiss pursuant to the Racial Justice Act was heard. "In September [2025], after the denial of the motion to dismiss, Mr. Jackson agreed to a continuance of the trial in order to litigate the RJA motion that he filed while he was in pro per. He did not object and entered the time waiver to ensure that his motion could be litigated."

4. On October 15, 2025, I was informed by Mr. Jackson that on September 4, 2025, he "was ask[ed] by the judge if [he] waived time. [He] said NO [he] do[es] not waive time." After talking with counsel about litigating the RJA motion, "he made the choice to have [his] RJA motion heard. [He] was given no choice in the matter. [He] waived time."

5. I have communicated with Deputy Attorney General Daniel Rogers regarding this motion. On October 11, 2025, Mr. Rogers advised me that the State opposes the motion.

I declare under the penalty perjury that the foregoing is true and correct.

Dated: October 15, 2025

/s/ James S. Thomson

JAMES S. THOMSON

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7 *Attorneys for Respondent*

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
10
11
12

13 NOEL JACKSON,

Petitioner,

14
15 v.

16
17 ARTHUR CALDERON,

18 Respondent.
19

CV 97-3531 MWF

**RESPONDENT'S OPPOSITION
TO PETITIONER'S MOTION FOR
RELEASE**

Judge: The Honorable Michael
W. Fitzgerald

Action Filed: 5/09/1997

20 **INTRODUCTION**

21 On October 15, 2025, Petitioner Noel Jackson filed a Motion for Release
22 claiming he has not been "brought to trial within the 120 day time period ordered
23 by this Court." (ECF No. 347 at 2.) On October 16, 2025, this Court ordered a
24 response. (ECF No. 348.) On October 30, 2025, Jackson supplemented his motion
25 with his own declaration. (ECF No. 349.) Respondent now files this opposition
26 pursuant to the Court's order.

27 In short, this Court is without jurisdiction to grant Jackson further relief in this
28 habeas corpus case. Contrary to Jackson's assertion, this Court's conditional writ

1 did not order that Jackson be brought to trial in 120 days, but that he the State
2 “grant him a new trial in accordance with applicable California law and the United
3 States Constitution.” (ECF No. 312.) California granted Jackson a new trial within
4 the 120 days provided for in the Court’s order and that trial is ongoing. The State’s
5 compliance with the conditional writ ended this Court’s jurisdiction, as Jackson is
6 no longer subject to any consequences of the now-vacated judgment that was the
7 subject of the federal writ proceedings.

8 **ARGUMENT**

9 **THIS COURT IS WITHOUT JURISDICTION TO GRANT FURTHER RELIEF IN**
10 **THE CASE**

11 Here, this Court granted Jackson the following conditional writ of habeas
12 corpus on September 9, 2022:

13 Pursuant to the Court’s February 9, 2022 Order Granting Relief on
14 *Batson* Claim (Claim K) of the Second Amended Petition for Writ of
15 Habeas Corpus,

16 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the
17 Second Amended Petition is **CONDITIONALLY GRANTED** and that
18 the judgment of conviction and sentence for life without possibility for
19 parole for the murder of Sonja Niles in the matter of *People v. Jackson*,
20 Case No. CR-23480, in the Superior Court of the State of California for
21 the County of Riverside, be **VACATED**. Because there is no reason for
22 delay, the Court directs entry of a final judgment pursuant to Federal
23 Rule of Civil Procedure 54(b).

24 IT IS FURTHER ORDERED that, within 120 days of the date of
25 this Judgment, the State of California shall either release Petitioner or
26 grant him a new trial in accordance with applicable California law and
27 the United States Constitution.

28 (ECF No. 312.)

1 This Court granted respondent's motion to stay the judgment during the
2 pendency of the appeal in *Jackson v. Broomfield*, case number 22-55937, the stay to
3 be lifted upon the Court's filing of the Order Spreading the Ninth Circuit Mandate.
4 (ECF No. 313.) The Ninth Circuit issued its Mandate on April 23, 2024. (ECF No.
5 321.)

6 Attached as Exhibit A hereto are the minutes of the Riverside County Superior
7 Court in case number CR23480.¹ According to the minutes of the superior court,
8 Jackson's 1989 conviction and sentence were vacated on May 17, 2024, less than
9 one month after the stay was lifted. (Exh. A at 4.) As Riverside County Sheriff's
10 Department records indicate, Jackson was then arrested by local sheriff's deputies
11 at Lancaster State Prison on May 28, 2024, and transported that same day to
12 Riverside County Jail to be booked on murder charges. (Exh. B.)

13 The state court's vacatur of the judgment in case number CR23480, as ordered
14 by this Court, is the seminal event in terms of compliance with the conditional writ.
15 Section 2254(a) provides that a federal court shall entertain a petition for writ of
16 habeas corpus "in behalf of a person in custody pursuant to the judgment of a State
17 court." As the United States Supreme Court has observed, "A § 2254 petitioner is
18 applying for something: His petition 'seeks *invalidation* (in whole or in part) of the
19 *judgment* authorizing the prisoner's confinement.'" *Magwood, v. Patterson*, 561
20 U.S. 320, 332 (2010) (quoting *Wilkinson v. Dotson*, 544 U.S. 74, 83 (2005)
21 (emphasis added)). "If his petition results in a district court's granting of the writ,
22 'the State may seek a *new* judgment (through a new trial or a new sentencing
23 proceeding).'" *Ibid.* (emphasis in original). Consequently, in the absence of
24 custody pursuant to the judgment of a state court, further habeas relief under section
25 2254(a) is unavailable.

26
27 ¹ Respondent reattaches the exhibits that accompanied his Rule 60 Motion,
28 which raised a substantially similar jurisdictional argument. (ECF No. 342.)
Respondent will also attach the latest information he was able to obtain regarding
the case from the Riverside Superior Court website. (Exh. D.)

1 Put simply, Jackson is no longer subject to the judgment of conviction and
2 sentence this Court found to have been obtained in violation of Jackson's federal
3 constitutional rights. That judgment was vacated on May 17, 2024. (Exh. A at 4.)
4 Jackson is no longer in custody pursuant to that judgment because that judgment no
5 longer exists. Instead, Jackson is now being held in pre-trial confinement in county
6 jail without bail awaiting trial for murder. (Exh. B.) This pre-trial confinement was
7 not triggered by his now-vacated judgment, but by his arrest by sheriff's deputies
8 on May 28, 2024. (Exh. B.) In essence, Jackson has been restored to the position
9 he would have been in had the original trial never occurred.

10 Respondent acknowledges that Jackson's retrial has not yet commenced,
11 insofar as a jury has not yet been empaneled and trial proceedings begun, with a
12 jury trial set for November 19, 2025, the day following a hearing on Jackson's
13 motion for relief under California's Racial Justice Act, Cal. Penal Code § 745.
14 (Exh. D at 11.²) In the first instance, the exact stage at which Jackson finds himself
15 in the retrial proceedings is not essential to answering the question of whether the
16 writ has been satisfied. The writ can be satisfied in one of two ways: vacatur of the
17 judgment in case number CR23480 and release or the grant of a new trial within the
18 120 days allotted. As discussed above, the judgment in case number CR23480 has
19 been vacated and Jackson is no longer in custody pursuant to that now non-extant
20 judgment. Thus, the State has satisfied the first of the two alternative conditions set
21 forth in the Court's conditional writ.

22 In addition to satisfying the first condition of the writ, the State has also
23 satisfied the second condition as well. The second condition of the conditional writ
24 required the State to grant Jackson a new trial within 120 days of the Ninth
25 Circuit's Mandate on April 23, 2024. (ECF Nos. 312, 313, 321.) The State has

26
27 ² Exhibit D is a .pdf version of the Riverside County Superior Court's online
28 case summary of Jackson's trial matter. The formatting of this document was
unusual in that the "HEARINGS" section could not be printed consecutively. The
additional pages of the "HEARINGS" section follow at the end of the document.

1 granted Jackson a new trial. His judgment of conviction and sentence have been
2 vacated and new trial proceedings are underway.

3 The Sixth Circuit's decision in *Fisher v. Rose*, 757 F.2d 789 (6th Cir. 1985), is
4 instructive. In *Fisher*, the district court granted a conditional writ "ordering that
5 '[i]ssuance of the writ will be stayed for ninety (90) days pending appeal by
6 respondent or, within which time, the State may on its own motion vacate
7 petitioner's conviction and grant him a new trial.'" *Id.* at 790. Within the 90-day
8 period provided by the court, counsel for Fisher was appointed, and both a bail
9 amount and a new trial date set. *Ibid.* Due to a conflict of interest with appointed
10 counsel, new counsel was appointed, and the trial date continued beyond the 90
11 days. *Ibid.* Fisher then petitioned the district court for an order that he be released
12 from state custody and barring retrial based on the failure to bring him to trial
13 within the 90 days provided, which the district court granted. *Id.* at 790-791.

14 The Sixth Circuit reversed, explaining:

15 We conclude that the district court abused its discretion in barring
16 retrial by the state. Less than sixty days after this court issued the
17 mandate affirming the district court's granting of the writ, the state had
18 appointed counsel for Fisher, set bond, and set a trial date. If Fisher had
19 been able to meet the requirements of his bond, he would have been
20 released from detention. These facts indicate that at the time of the July
21 7, 1984 hearing, Fisher was no longer in custody pursuant to the
22 constitutionally defective judgment of conviction, but was being held
23 pursuant to the indictment....[¶]... 28 U.S.C. § 2254(a) provides that
24 relief is available to a petitioner "only on the ground that he is in custody
25 in violation of the Constitution or laws or treaties of the United States."
26 Since Fisher was no longer being held pursuant to the constitutionally
27 defective conviction, we conclude that the district court erred in ordering
28 Fisher's release and barring retrial.

1 *Fisher v. Rose*, 757 F.2d at 791.

2 This case is virtually identical to the situation in *Fisher*. Here, the State had
3 120 days from April 23, 2024, or until August 21, 2024, to grant Jackson a new
4 trial. Jackson's judgment of conviction and sentence was vacated on May 17, 2024
5 (Exh. A at 4), well within the 120-day period. Counsel for Jackson was appointed³
6 and two trial readiness conferences occurred, again within the 120-day period.
7 (Exh. A at 3–4.) Bail was unavailable under the Riverside County Superior Court's
8 Felony and Misdemeanor Bail Schedule, which provides for no bail in cases
9 involving a potential sentence of life in prison without the possibility of parole, i.e.
10 special circumstances murder. (Exhs. B, C at 9.) And finally, an initial trial date
11 was set. (Exh. A at 3.)

12 As in *Fisher*, the State acted expeditiously to vacate the constitutionally infirm
13 judgment and release Jackson from prison, at which point he was arrested by local
14 law enforcement and retrial proceedings initiated. At that point, Jackson's custody
15 was no longer attributable to the judgment for which this Court granted habeas
16 relief, but was instead the product of his pending, unadjudicated murder charges.
17 Should the case be dismissed, Jackson would be released from jail as there would
18 be no legal basis for his continued detention. And, as custody pursuant to the
19 challenged judgment is the basis for relief under § 2254, Jackson has received the
20 relief to which he is entitled and there is no further relief possible for this Court to
21 grant. *See Fisher v. Rose*, 757 F.2d at 791; *see also Magwood, v. Patterson*, 561
22 U.S. at 332.

23 Any concerns regarding the pace of the retrial proceedings are not remediable
24 through the vehicle of § 2254 and the relief granted by this Court thereunder. "A

25 _____
26 ³ The superior court's minutes are not entirely clear as to when counsel was
27 appointed. (Exh. A.) However, as trial readiness conferences occurred on June 6
28 and 13, 2024, and Jackson was not granted self-representation until September 16,
2024 (Exh. A at 3), the conclusion that counsel was appointed prior to June 6, 2024,
and sometime during the 120-day period, is inescapable, as someone must have
appeared at those two trial readiness conferences.

1 conditional writ under § 2254 is not ‘a general grant of supervisory authority over
2 state trial courts.’” *Jensen v. Pollard*, 924 F.3d at 455. And federal courts “should
3 presume that states will comply with equitable remedies in good faith” and “[t]his
4 presumption applies with particular force in § 2254 proceedings, where
5 ‘[f]ederalism and comity principles pervade.’” *Id.* Should Jackson object to delay
6 in his retrial, he enjoys the same state and federal speedy trial protections available
7 to any criminal defendant in California, either through appeal should he be
8 convicted or writ. *See id.* at 455–56. And the remedies available to him to
9 vindicate those rights are the same remedies available to any other criminal
10 defendant. Indeed, Jackson has already sought relief for a violation of his speedy
11 trial rights in the superior court. (Exh. D at 5.)

12 Again, as discussed above, the State has moved expeditiously to effect
13 Jackson’s retrial as required by the conditional writ. However, once the State
14 sought to initiate proceedings in the state courts, the state court, and not the
15 prosecutor or the warden, was in control of those proceedings. And the state court
16 is not a party to the § 2254 proceedings. *See Hudson v. Lashbrook*, 863 F.3d 652,
17 656 (“The writ is directed to the person detaining another: it is not directed at the
18 state government in toto.”). Yet, irrespective of this presumption, the records
19 provided in support of this motion demonstrate the state court has been moving
20 steadily forward with the retrial proceedings and there is no reason to believe it will
21 not continue to do so. But the speed of the retrial proceedings is only one of many
22 factors to be considered. Retrial, especially in a case of the size and complexity of
23 this one, is not a simple matter of empaneling twelve jurors and presenting some
24 evidence. There are numerous matters to be litigated before the trial itself can
25 occur, all of which are essential to the protection of Jackson’s rights and to ensuring
26 he receives the fair retrial to which he is entitled. These matters include protection
27 of Jackson’s right to self-representation, his competence to represent himself, and
28 his rights under the Racial Justice Act. (Exh. A at 2.) In particular, the disruption

1 to trial defense's counsel's representation of Jackson and preparation for trial
2 engendered by Jackson's request for self-representation and request for substitution
3 of appointed counsel, all initiated by Jackson himself, are of particular note with
4 regard to understanding any delays in the retrial proceedings. (Exh. A at 2; Exh. D
5 at 3-5.) While Jackson cannot be faulted for pursuing every legal avenue available
6 to vindicate his rights, he also cannot complain that those efforts all require court
7 time to adjudicate that necessarily delays his trial. And beyond those efforts,
8 counsel for respondent anticipates there will be any number of further matters to be
9 litigated, such as discovery motions, evidentiary motions, etc. The state court has
10 appointed an investigator to assist Jackson and there is no way of knowing what
11 that investigator will uncover and what further pretrial litigation those efforts may
12 spawn. And any delay necessitated by these further pretrial proceedings will in no
13 way be attributable to any bad faith or effort to avoid compliance with the
14 conditional writ but will instead be essential and legitimate efforts by the state court
15 to ensure Jackson receives a full and fair retrial.

16 Finally, beyond the jurisdictional question, there are certain practical and
17 jurisprudential considerations implicated by any further grant of relief in the writ
18 proceedings. First, there is the question of what form such relief would even take.
19 As discussed above, immediate, unconditional release and the barring of further
20 retrial proceedings is unavailable. *See Fisher v. Rose*, 757 F.2d at 791. Moreover,
21 even outside of the time afforded under the conditional writ, "the state is not
22 precluded from rearresting petitioner and retrying him under the same indictment."
23 *Id.*; accord *Harvest v. Castro*, 531 F.3d at 750, n.9 ["Our granting of an
24 unconditional writ of habeas corpus does not, itself, preclude the State from
25 rearresting and retrying Harvest. [Citations.] ('F]ederal courts usually permit
26 rearrest and retrial after the time period specified in the conditional release order
27 has elapsed and the prisoner has been released.')."]. Rearrest already occurred on
28 May 28, 2024. (Exh. B.) And should this Court make orders imposing further

1 deadlines in the state court proceedings, such would potentially violate the
2 abstention doctrine of *Younger v. Harris*, 401 U.S. 37, 43 ("Since the beginning of
3 this country's history Congress has, subject to few exceptions, manifested a desire
4 to permit state courts to try state cases free from interference by federal courts.").

5 **CONCLUSION**

6 For the forgoing reasons, respondent respectfully asks that the Motion for
7 Release of Petitioner be denied.

8 Dated: November 6, 2025

Respectfully submitted,

9 ROB BONTA
10 Attorney General of California
11 CHRISTOPHER P. BEESLEY
12 Supervising Deputy Attorney General

13 s/ Daniel Rogers
14 DANIEL ROGERS
15 Supervising Deputy Attorney General
16 Attorneys for Respondent

15 DR;jtd
16 SD1997XW0003
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CERTIFICATE OF SERVICE

Case Name: Noel Jackson v. Arthur Calderon, Warden No. CV 97-3531 MWF

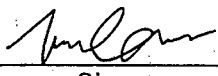
I hereby certify that on November 6, 2025, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

RESPONDENT'S OPPOSITION TO PETITIONER'S MOTION FOR RELEASE

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on November 6, 2025, at San Diego, California.

J. Dinh
Declarant


Signature

SD1997XW0003
85431454.docx

EXHIBIT A



RIVERSIDE SUPERIOR COURT

PUBLIC ACCESS

Criminal Case Report

Pay Ticket / Case Fine

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Case CR23480 - Defendants

Seq	Defendant	Next Court Date	Status	Agency / DR Number	Arrest Date	Count 1 Charge	Violation Date
1	NILES, MICHAEL DONNELL				12/13/1984	PC 182	12/15/1984
2	JACKSON, NOEL	Return of Doctor's Report Hearing 11/25/2024 AT 8:30 AM DEPT. 64	ACTIVE		12/13/1984	PC 187	12/15/1984

Case CR23480 - JACKSON, NOEL - Status

Filing Type Complaint

Ordered Bail \$0.00

D.A. Brittany Bulthuis by Matt Murr

Next Action: Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.
11/25/2024 AT 8:30 AM DEPT. 64

Custody In Custody
Filing Date 12/18/1984

Posted Bail \$0.00

Defense Pro Per

Deputy Report CRPD
#:

Warrant	Type	Status	Issued	Affidavit
		NONE	N/A	N/A
Probation	Type	Granted	Expiration	
	N/A	N/A	N/A	
Sentence	Convicted Date	Fine and Penalty	Restitution Fine	
	01/23/1989		0	



Case CR23480 - JACKSON, NOEL - Charges



Filed Charges						
Count	Charge	Severity	Description	Violation Date	Plea	Status
1	PC 187	F	Murder	12/15/1984	NOT GUILTY	CONVICTED
2	PC 187	F	Murder	12/15/1984		CONVICTED
	Enhancement		Description		Plea	Status
	PC 12022.5(A)		Use Firearm			ACTIVE

Case CR23480 - JACKSON, NOEL - Probation

Probation Has Not Been Granted On This Case For This Defendant.

Case CR23480 - JACKSON, NOEL - Related Cases On Calendar

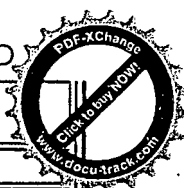
Related Cases On Calendar
<i>This Defendant Does Not Have Any Other Cases With Future Hearings Scheduled.</i>

Case CR23480 - JACKSON, NOEL - All of Defendant's Other Cases

Case Number	Filed Date	Charges	Next Hearing	Jurisdiction	Status
<i>This Defendant Does Not Have Any Other Reportable Cases.</i>					

Case CR23480 - JACKSON, NOEL - Actions & Minutes

Action Date	Action Text	Disposition	Hearing Type
11/25/2024 8:30 AM DEPT. 64	HEARING RE: MOTION ALLEGING A VIOLATION OF THE RACIAL JUSTICE ACT PURSUANT TO PC 745.	ACTIVE	
11/25/2024 8:30 AM DEPT. 64	JURY TRIAL	ACTIVE	
11/25/2024 8:30 AM DEPT. 64	RETURN OF DOCTOR'S REPORT HEARING	ACTIVE	
10/31/2024	HEARING SET 10/31/2024 AT 8:30 FOR JT IS VACATED.		
10/31/2024	HEARING SET 10/31/2024 AT 8:30 FOR RODR IS VACATED.		
10/31/2024 8:30 AM DEPT. 64	HEARING RE: MOTION ALLEGING A VIOLATION OF THE RACIAL JUSTICE ACT PURSUANT TO PC 745.	DISPOSED	
Minutes Print Minute Order			
10/31/2024 8:30 AM DEPT. 64	JURY TRIAL	VACATED	
10/31/2024 8:30 AM DEPT. 64	RETURN OF DOCTOR'S REPORT HEARING	VACATED	
10/16/2024 8:30 AM DEPT. 64	HEARING RE: MOTION ALLEGING A VIOLATION OF THE RACIAL JUSTICE ACT PURSUANT TO PC 745.	VACATED	



10/15/2024 8:30 AM DEPT. 64	JURY TRIAL TRAILING #32272	VACATED	
10/15/2024	HEARING SET 10/16/2024 AT 8:30 FOR H745 IS VACATED.		
10/15/2024	NOTICE OF APPOINTMENT OF MEDICAL EXAMINER FILED.		
10/15/2024	DOCTOR'S REPORT FILED - CONFIDENTIAL (ROBERT L. SUITER PH.D. PSY.D.)		
10/15/2024 8:30 AM DEPT. 64	RETURN OF DOCTOR'S REPORT HEARING	DISPOSED	

Minutes

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10/14/2024	DOCTOR ROBERT L. SUITER PH.D PSY.D'S REPORT - RECEIVED		
10/14/2024	ORDER FROM DISTRICT COURT OF APPEAL THE PETITION FOR WRIT OF HABEAS CORPUS IS DENIED.		
10/14/2024 8:30 AM DEPT. 64	RETURN OF DOCTOR'S REPORT HEARING	DISPOSED	

Minutes

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10/10/2024 8:30 AM DEPT. 64	RETURN OF DOCTOR'S REPORT HEARING	DISPOSED	
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Minutes

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10/09/2024	DOCTOR'S REPORT FILED - CONFIDENTIAL (ROBERT L. SUITER PH.D. PSY.D.)		
10/03/2024	NOTICE OF APPOINTMENT OF MEDICAL EXAMINER FILED.		
10/03/2024	HEARING SET 10/03/2024 AT 8:30 FOR 1050H IS VACATED.		
10/03/2024 8:30 AM DEPT. 64	HEARING ON MOTION FOR CONTINUANCE PURSUANT TO 1050PC FILED BY DA	VACATED	
10/03/2024 8:30 AM DEPT. 64	HEARING ON MOTION RE: RECONSIDERATION OF FARETTA MOTION	DISPOSED	

Minutes

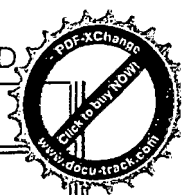
[Print Minute Order](#)

10/03/2024 8:30 AM DEPT. 64	JURY TRIAL	VACATED	
09/25/2024	MOTION FOR CONTINUANCE PURSUANT TO 1050 PC FILED BY DA		
09/23/2024	MOTION TO DISMISS UNDER RACIAL JUSTICE ACT FILED.		
09/23/2024	MOTION RECONSIDERATION OF FARETTA MOTION FILED.		
09/16/2024	ORDER GRANTING PROPRIA PERSONA PRIVILEGES FILED.		
09/16/2024	PETITION TO PROCEED IN PROPRIA PERSONA FILED.		
09/16/2024 8:30 AM DEPT. 64	TRIAL READINESS CONFERENCE	DISPOSED	TRC

Minutes

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07/05/2024	REQUEST FOR CONTINUANCE PURSUANT TO PC 1050 FILED.		
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07/15/2024 8:30 AM DEPT. 64	TRIAL READINESS CONFERENCE	DISPOSED	TRC
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Minutes

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06/13/2024	HEARING SET 06/13/2024 AT 8:30 FOR HCOC IS VACATED.		
06/13/2024 8:30 AM DEPT. 64	HEARING RE: CONFIRMATION OF COUNSEL.	VACATED	
06/13/2024 8:30 AM DEPT. 64	TRIAL READINESS CONFERENCE	DISPOSED	TRC

Minutes

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06/06/2024 8:30 AM DEPT. 64	TRIAL READINESS CONFERENCE	DISPOSED	TRC
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Minutes

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05/30/2024	HEARING SET 05/30/2024 AT 8:32 FOR HS IS VACATED.		
05/30/2024	HEARING SET 05/30/2024 AT 8:31 FOR HS IS VACATED.		
05/30/2024	REGISTER OF ACTIONS RIC475367 - HABEAS PETITION FILED.		
05/30/2024	FINAL RULING FILED 07/29/16 ON HABEAS PETITION FILED.		
05/30/2024	MEMORANDUM FILED 04/01/24 IN DISTRICT COURT APPEAL FILED.		
05/30/2024	MANDATE FILED 04/23/24 IN DISTRICT COURT OF APPEAL FILED.		
05/30/2024	COPY OF REPORTERS TRANSCRIPT - 01/10/1992 HEARING FILED.		
05/30/2024 8:32 AM DEPT. 64	HEARING SET RE: FURTHER PROCEEDINGS/RESENTENCING PURS HABEAS	VACATED	
05/30/2024 8:31 AM DEPT. 64	HEARING SET RE: MOTION NEW TRIAL PURS. US DISTRICT COURT RULING	VACATED	
05/30/2024 8:30 AM DEPT. 64	HEARING SET RE: ORDER FROM DISTRICT COURT OF APPEAL	DISPOSED	

Minutes

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05/17/2024	DECLARATION AND ORDER FOR TRANSPORTATION OF DEFENDANT FILED.		
05/17/2024	HEARING SET 05/05/1989 AT 8:30 FOR SEN IS VACATED.		
05/17/2024	HEARING SET 02/06/1989 AT 9:30 FOR JTI IS VACATED.		
05/17/2024	HEARING SET 01/03/1985 AT 8:30 FOR PH IS VACATED.		
05/05/1989 8:30 AM DEPT. 64	SENTENCING	VACATED	SENTENCING
02/10/1989 8:00 AM DEPT. 64	JURY TRIAL IN-PROGRESS	DISPOSED	

Minutes

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02/16/1989 9:30 AM DEPT. 64	JURY TRIAL IN-PROGRESS #32274	VACATED	
02/23/1989 8:30 AM DEPT. 64	JURY TRIAL	DISPOSED	

Minutes

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03/26/1985	INFORMATION FILED.		
03/18/1985	AMENDED COMPLAINT FILED.		
03/18/1985	JURISDICTION SET TO BY OTS310.		
03/18/1985	COMPLAINT FILED BY CRSTG		
01/03/1985 8:30 AM DEPT. 64	PRELIMINARY HEARING	VACATED	
12/18/1984	COMPLAINT FILED. (IMAGED)		
12/18/1984 8:30 AM DEPT. 64	ARRAIGNMENT	DISPOSED	ARRAIGNMENT

Minutes

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Case CR23480 - JACKSON, NOEL - Fine Information

Date To Pay: N/A First Payment: //
Prior NSF: N Payment Amount: \$0.00 Last Payment: //

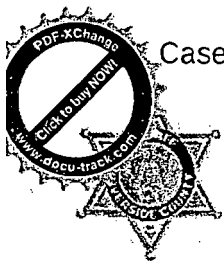
Fine Number	Fine Type	Fine Description	Original Amount	Paid To Date	Current Due
Total:			\$0.00	\$0.00	\$0.00

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EXHIBIT B



JIMS Jail Information Management System

The data contained in this website should not be relied upon for any type of legal action.

Booking Number :202422803

Name JACKSON, NOEL LEON

Sex Race DOB

M B 04/15/1956

Age Hair Eyes Height Weight

68 BLK BRO 05'11" 190

Arrest Date/Time Arresting Agency Arresting Location

05/28/2024 11:30 RSD Transportation LANCASTER PRISON

Booked Date/Time Case No. Bail Amount

05/28/2024 17:19 CR23480 No Bail Transportation Court Order

Current Facility Larry D. Smith Correctional Housing Unit 1715

Next Court Date/ Time Court Name Release Date

11/25/2024 08:30 Riverside Hall Of Justice

Charges

<u>Charge</u>	<u>Type</u>	<u>Description</u>	<u>Bail</u>	<u>Disposition</u>	<u>Booking Type</u>
187	FEL	MURDER:FIRST DEGREE		CONT	PC
187	FEL	MURDER:FIRST DEGREE		CONT	PC
187(A)	FEL	MURDER:AIDER & ABETTOR		DISM	PC

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EXHIBIT C



SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE



Felony and Misdemeanor Bail Schedule

Approved by the
Judges of the Riverside County Superior Court
October 27, 2023

Effective Date: *January 1, 2024*



SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE

Felony and Misdemeanor Bail Schedule

This Bail Schedule is adopted by the Superior Court of California, County of Riverside pursuant to Section 1269b(c) of the Penal Code and is to be utilized pursuant to Section 1268 et seq. of the Penal Code in setting bail for the release of persons arrested on charges, without warrant, for the alleged commission of any bailable offense, and for Writs of Habeas Corpus.

This Bail Schedule consists of two sections: (A) Bail for Felonies, and (B) Bail for Misdemeanors.



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RULE 2: No Bail.....	4
RULE 3: Attempts, Etc.....	5
RULE 4: Multiple Counts, Multiple Cases	5
RULE 5: Enhancements / Strikes.....	6
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SECTION A: FELONY BAIL SCHEDULE

PART 1: RULES

RULE 1: Setting Bail

A. Bail for felony crimes will be set as follows:

1. The amount set in the approved arrest warrant;
2. The amount set pursuant to 1269c P.C. (See Rule 6(A) herein);
3. The amount set at a hearing in court; and / or
4. The amount set through use of this Bail Schedule.

B. The Felony Bail Schedule consists of four parts:

1. The "Rules";
2. The "General Bail Amounts Chart";
3. The "Special Bail Amounts"; and
4. The "Bail Amounts for Enhancements."

C. Review all Rules. Review the "General Bail Amounts Chart" section. Review the "Special Bail Amounts" section. If the bail amount is different, the higher amount applies.

D. To calculate bail on any one case, take the count which imposes the longest term of incarceration, find the bail amount from the "General Bail Amounts Chart" section. Check the "Special Bail Amounts" section. If there is a conflict, use the larger sum. Next, add bail for all enhancements. The calculation is per case. For example, if a person has three cases and the bail is \$5,000 on one case, \$75,000 on another case, and \$25,000 on a third case, then the person must post three separate bonds, one for each case, in order to be released.

RULE 2: No Bail

Murder with special circumstances will not be admitted to bail if proof of guilt is evident or the presumption great.



RULE 3: Attempts, Etc.

The following felony offenses will have a bail amount equal to the substantive offense, which was the object of the conspiracy, solicitation or attempt.

Section 182 P.C. (Conspiracy)
Section 653(F) P.C. (Solicitation)
Section 664 P.C. (Attempt)

Note: 182/187 PC: The bail is \$1 million, even if special circumstances are alleged.

Note: 32 PC: The bail is half the amount for the substantive crime, but no less than 10,000.

RULE 4: Multiple Counts, Multiple Cases

A. Multiple Counts:

1. For each separate crime arising out of the same set of circumstances, the single highest bail plus all applicable enhancements shall apply.
2. If the charges could be filed as separate cases, separate bail amounts apply and those amounts are to be added together to calculate the appropriate bail for the case filed.

B. Multiple Cases: Calculate the bail for each case separately. A separate bail is required for each separate case.

C. Examples:

1. Two Separate Complaints Filed: Defendant commits two robberies on two separate dates (two separate sets of circumstances) – the applicable bail amount for each of the robbery complaints would be calculated. These are two separate cases and two separate bail bonds are required.
2. One Complaint Filed: Defendant assaults one victim and later that day assaults a second unrelated victim (two separate sets of circumstances). The applicable bail amount for each incident is calculated. Then the two amounts are added together to determine the amount of bail.
3. One Complaint Filed: Defendant robs a pizza store and takes money from the register and from a customer's wallet. The bail is the amount for the most serious criminal charge plus bail for any enhancements.

**RULE 5: Enhancements / Strikes****A. Enhancements:**

Where a felony offense has been committed and it is alleged in the Complaint or Information, or it is evident from other information made available to the Court, that one or more punishment enhancements are applicable, the bail amount specifically described for each applicable enhancement shall be added cumulatively to the bail set forth for the specified offense. See Part 4, Bail Amounts for Enhancements to Felonies. For unlisted enhancements, see Part 2, The General Bail Amounts Chart.

B. Strikes:

Where it is alleged in the Complaint or Information, or it is evident from other information made available to the Court, that there is a strike prior within the meaning of Penal Code Sections 667 and 1170.12 the additional bail shall be calculated as follows:

- (1)(a) If the defendant has previously been convicted of one strike, the bail is enhanced by \$50,000.
 - (b) If the defendant has previously been convicted of two or more strikes, the bail is enhanced by \$50,000 per strike, if the current crime is a non-serious and non-violent crime.
 - (c) If the defendant has previously been convicted of two or more strikes, and the current crime is non-serious and non-violent, and, if any of the exceptions contained in section 667(e)(C)(2)(i-iv) apply, then the total bail is \$1,000,000.
-
- (2) If the defendant has previously been convicted of two or more serious or violent felonies and the current crime is a serious or violent felony, then the total bail is \$1,000,000.



RULE 6: Bail Increase / Source of Bail Funds

A. Bail Increase (1269c P.C.)

In the event that law enforcement has reasonable cause to believe that the amount of bail set forth in the Bail Schedule is insufficient, the arresting officer shall provide the booking officer at the custodial jail a copy of a 1269c P.C. declaration requesting an order setting higher bail. Once a copy of the 1269c P.C. form has been given to the booking officer, no one shall release the defendant except at the higher requested bail. The arresting officer then has eight (8) hours to obtain Magistrate approval. If no Magistrate approved 1269c form is provided to the booking officer within eight (8) hours of the initial booking, then the defendant may be released at the amount of bail as indicated by the Bail Schedule. Any Magistrate approved 1269c form must be filed with the Complaint.

B. Source of Bail Funds (1275.1 P.C.)

In the event that law enforcement has reasonable cause to believe that bail has been or may be obtained by felonious means, the arresting officer shall provide the booking officer at the custodial jail a copy of a declaration requesting an order pursuant to Section 1275.1 P.C. Once a copy of the 1275.1 P.C. form has been given to the booking officer, no one may release the defendant. The arresting officer has twenty-four (24) hours to obtain Magistrate approval. If a Magistrate approves the 1275.1 P.C. application, the defendant may not be released except upon the order of a Judge after a noticed hearing in Court. If no Magistrate approved 1275.1 P.C. form is provided to the booking officer within twenty-four (24) hours of the initial booking, then the defendant may be released upon whatever bail is set. Any Magistrate approved 1275.1 P.C. form must be filed with the Complaint or filed with the court if the complaint has already been filed.

RULE 7: Violation of Probation / Mandatory Supervision

Probation:

In the absence of a specific court order, the amount of bail on a violation of felony probation shall be \$50,000. In the absence of a specific court order, the amount of bail on a violation of misdemeanor probation shall be \$5,000.

Mandatory Supervision:

In the absence of a specific court order, the amount of bail on a violation of mandatory supervision shall be \$100,000.



RULE 8: Economic Loss

If the alleged economic loss is greater than the bail schedule, the bail shall be the amount of the loss, rounded to the next higher thousand-dollar level; i.e., if the economic loss is \$58,423, the bail is \$59,000.



PART 2: GENERAL BAIL AMOUNTS CHART FOR FELONIES

	Maximum Incarceration in State Prison	Bail
A.	3 years or less	\$10,000
B.	4 years	\$25,000
	5 years	\$30,000
	6 years	\$35,000
C.	7 years	\$50,000
	8 years	\$55,000
	9 years	\$60,000
D.	10 years	\$75,000
	11 years	\$80,000
	12 years	\$85,000
E.	13 years	\$150,000
	14 years	\$200,000
	15 years	\$250,000
	16 years or more, but less than life	\$500,000
F.	Life	\$1,000,000
G.	LWOP or DP	No Bail

PART 3: SPECIAL BAIL AMOUNTS FOR FELONIES

PENAL CODE SECTION	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
186.22(a)	GANG MEMBERSHIP	\$ 20,000
217.1(a)	ASSAULT ON PRESIDENT OR OTHER GOVERNMENT OFFICIAL	\$ 100,000
219.1	THROWING MISSILE AT VEHICLE OR COMMON CARRIER	\$ 50,000
243(c)	BATTERY ON A PEACE OFFICER	\$ 20,000
243.7	BATTERY AGAINST JUROR	\$ 50,000
273d	INFLECT CORPORAL INJURY CHILD (CHILD BEATING).....	\$ 50,000 Plus \$15,000 per additional victim
273.5	INFLECT INJURY ON SPOUSE OR COHABITANT...	\$ 50,000
	...with a prior	\$ 75,000



278.5	CHILD CUSTODY KIDNAPPING	\$ 20,000
288a(b)	ORAL COPULATION	\$ 20,000
422	TERRORIST THREATS	\$ 20,000
646.9	WILLFULLY, MALICIOUSLY, REPEATEDLY FOLLOW OR WILLFULLY HARASS ANOTHER PERSON	\$ 50,000
4500	ASSAULT BY LIFE TERM PRISONER.....	NO BAIL
4530	ESCAPE BY PRISON INMATE	NO BAIL
4532-4550	ESCAPE (Felony).....	\$ 20,000

HEALTH AND SAFETY CODE
SECTION

DESCRIPTION OF VIOLATION

AMOUNT OF BAIL

11351 / 11351.5 / 11352	POSSESSION FOR SALE, SALES, TRANSPORTATION	
	less than one ounce [28.5 grams].....	\$ 30,000
	1 ounce	\$ 50,000
	½ pound [8 oz.].....	\$ 100,000
	1 pound [454 grams][16 oz.].....	\$ 150,000
	over 1 kilogram [2.2 lbs.].....	\$ 200,000
	over 4 kilograms [8.8 lbs.].....	\$ 250,000
	over 10 kilograms [22 lbs.].....	\$ 500,000
	over 20 kilograms [44 lbs.].....	\$ 1,000,000
11378 / 11378.5 / 11379 / 11379.5	POSSESSION FOR SALE, SALES, TRANSPORATION	
	less than one ounce [28.5 grams].....	\$ 30,000
	1 ounce	\$ 50,000
	½ pound [8 oz.].....	\$ 100,000
	1 pound [454 grams][16 oz.].....	\$ 150,000
	over 1 kilogram [2.2 lbs.] or 30 liters.....	\$ 200,000
	over 4 kilograms [8.8 lbs.] or 100 liters.....	\$ 250,000
	over 10 kilograms [22 lbs.] or 200 liters	\$ 500,000
	over 20 kilograms [44 lbs.] or 400 liters	\$ 1,000,000
11359 / 11360	POSSESSION FOR SALE OR SALE OR TRANSPORATION OF MARIJUANA.....	\$ 20,000



over 25 pounds	\$ 25,000
over 100 pounds.....	\$ 50,000
over 1000 pounds	\$ 250,000

11383	POSSESSION OF PRECURSORS WITH INTENT TO MANUFACTURE PCP OR METHAMPHETAMINE	\$ 50,000
-------	--	-----------

VEHICLE CODE

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>AMOUNT OF BAIL</u>
2800.2	EVADING A PEACE OFFICER: RECKLESS DRIVING.....	\$ 100,000
2800.3(a)	EVADING WITH BODILY INJURY.....	\$ 250,000
2800.3(b)	EVADING WITH DEATH.....	\$ 1,000,000
20001	HIT-RUN DEATH.....	\$ 75,000
23110(b)	THROWING MISSILE OR SHOOTING AT VEHICLE WITH INTENT TO DO GREAT BODILY INJURY.....	\$ 50,000
23152	DRIVING UNDER THE INFLUENCE and 3+PRIORS.	\$ 50,000
23153	DUI WITH INJURIES.....	\$ 50,000



PART 4: BAIL AMOUNTS FOR ENHANCEMENTS TO FELONIES

THESE ARE CUMULATIVE

<u>SECTION</u>	<u>DESCRIPTION OF VIOLATION</u>	<u>ADDITIONAL AMOUNT</u>
PC 667	PRIOR CONVICTIONS	
	(a) Prior serious felony plus a current serious felony [for each prior].....	\$ 50,000
	(c) habitual criminal (Strike 1) (See Rule 5(B))..	\$ 50,000
PC 667.5	STATE PRISON PRIORS	
	(a) Prior violent felony plus a current violent felony [for each prior].....	\$ 20,000
	(b) Prior sexually violent offense [for each prior].....	\$ 20,000
PC 12022.1	OUT ON BAIL	\$ 20,000
PC 12022.5	COMMISSION OF FELONY AND	
	(a) uses a firearm.....	\$ 75,000
	(b) uses an assault weapon.....	\$ 100,000
PC 12022.53	COMMISSION OF SPECIFIED FELON AND	
	(b) uses a firearm.....	\$ 75,000
	(c) discharges a firearm.....	\$ 100,000
	(d) discharges a firearm and causes great bodily injury.....	\$ 1,000,000
PC 12022.7	INFLICTION OF GBI.....	\$ 40,000
PC 12022.8	GBI WHILE COMMITTING A SEXUAL OFFENSE.....	\$ 50,000
H&S 11370.2	PRIOR FELONY CONVICTIONS OF H&S 11380	\$ 20,000 each
H&S 11379.7(a)	CHILDREN PRESENT AT METH LAB.....	\$ 20,000 each
H&S 11379.7(b)	CHILDREN PRESENT AT METH LAB WHO SUFFER GBI.....	\$ 30,000 each



SECTION B: MISDEMEANOR BAIL SCHEDULE

If the defendant is charged with more than one offense, the highest bail amount on any single offense charged shall be used. This is per case. Bail on separate cases is cumulative. See Rule 4 on page 5 of the Felony section. The reasoning of Rule 4 applies also to misdemeanors.

Adjustments to the scheduled bail amounts are within the discretion of each judge, taking into account the defendant's prior record, including, but not limited to, additional pending warrants, failures to appear in court, violation of probation, and the nature of the instant offense.

Misdemeanors – 90 day maximum incarceration.....	\$ 1,500
Misdemeanors – 180 day maximum incarceration.....	\$ 2,500
Misdemeanors – 270 day maximum incarceration.....	\$ 3,500
Misdemeanors – 364 day maximum incarceration.....	\$ 5,000
Misdemeanors Violations of Probation.....	\$ 5,000
Ordinance Violations Not Listed.....	\$ 500

PENAL CODE

SECTION	<u>DESCRIPTION OF VIOLATION</u>	<u>BAIL AMOUNT</u>
PC 192(c)(2)	Vehicle manslaughter.....	\$ 7,500
PC 417(a)(2)	Brandishing firearm.....	\$ 5,000
VC 23152	DUI	\$ 3,500
	a) With 1 prior	\$ 5,000
	b) With 2+ priors	\$ 7,500
VC 23153	DUI	\$ 7,000
	a) With 1 prior	\$ 10,000
	b) With 2+ priors	\$ 15,000

Adopted by the Judges of the Superior Court of California
County of Riverside on October 27, 2023
Effective Date: **January 1, 2024**

Distribution:
Each Judicial Officer
Each Deputy Court Executive Officer
Law Enforcement Agencies
Sheriff
Public Defender

Probation Dept.
Pre Trial Services
County Counsel
District Attorney

EXHIBIT D



THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

CR23480-2

People vs NOEL JACKSON

Filed Date: **12/18/1984**

Felony

Case Status: **Active**

Riverside - Department 61

Case Summary

Case Summary

Case Summary

▼ **CASE**

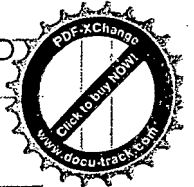
Filing Date	Violation Date	Case Caption	Case Status	Case Type
12/18/1984	12/15/1984	People vs NOEL JACKSON	Active	Felony
Arrest Agency	Arrest Date	Booking Number	Citation Number	

▼ **COMPLAINTS/PETITIONS**

Filings	Represented By	Status	Dispositions
People vs NOEL JACKSON Felony Felony		Active	
Felony Complaint NOEL JACKSON		Filed: 12/18/1984	
Petitioner: PEOPLE OF THE STATE OF CALIFORNIA	Brittany Anne Bulthuis William Matthew Murray		
Defendant: NOEL JACKSON	Jeffrey George Moore		

▼ **Charges**

Charge Information	Degree	BAC	Plea	Status	Severity
Felony Complaint NOEL JACKSON - filed on 12/18/1984					
Charge - Murder Count 001: 187 PC Murder (12/15/1984)	1st degree		Not Guilty (12/18/1984)	Convicted	Felony



Charge - Murder Count 002: 1st
187 PC Murder (12/15/1984) degree

Convicted Felony

Enhancement (Felony) -
12022.5(A) PC Add Punishment Use
of Weapon (12/15/1984)

Active Enhancement
(Felony)

✓ HEARINGS

Date Time	Type	Judicial Officer	Location/Courtroom	Disposition
12/18/1984 08:30 AM	Arraignment		Department 64	Continued
01/03/1985 08:30 AM	Preliminary Hearing		Department 64	Vacated
01/23/1989 08:30 AM	Jury Trial		Department 64	Continued
02/06/1989 09:30 AM	Jury Trial In-Progress		Department 64	Vacated
02/10/1989 08:00 AM	Jury Trial In-Progress		Department 64	Continued
05/05/1989 08:30 AM	Sentencing		Department 64	Vacated
05/30/2024 08:30 AM	Hearing set re: Order from District Court of Appeal		Department 64	Continued
05/30/2024 08:31 AM	Hearing set re: Motion New Trial purs. US District Court ruling		Department 64	Vacated
05/30/2024 08:32 AM	Hearing set re: Further Proceedings/Resentencing purs Habeas		Department 64	Vacated
06/06/2024 08:30 AM	Trial Readiness Conference		Department 64	Continued
06/13/2024 08:30 AM	Trial Readiness Conference		Department 64	Continued
06/13/2024 08:30 AM	Hearing re: Confirmation of Counsel.		Department 64	Vacated
07/05/2024 08:30 AM	Trial Readiness Conference		Department 64	Continued
09/16/2024 08:30 AM	Trial Readiness Conference		Department 64	Continued
10/03/2024 08:30 AM	Jury Trial		Department 64	Vacated



#32294

Judicial

Date Time Type

Officer Location/Courtroom Disposition

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DOCUMENTS

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Status	Date	Description	Filed By	Confidential
Filed	12/18/1984	Complaint filed. (Imaged)		
Filed	03/18/1985	AMENDED COMPLAINT Filed.		
Filed	03/26/1985	Information filed.		
Filed	05/17/2024	Declaration and Order for Transportation of defendant filed.		
Generated	05/30/2024	Legacy Minute Order: Hearing set re: Order from District Court of Appeal		
Filed	05/30/2024	Copy of Reporter's Transcript - 01/10/1992 hearing Filed.		
Filed	05/30/2024	Mandate filed 04/23/24 in District Court of Appeal Filed.		
Filed	05/30/2024	Memorandum Filed 04/01/24 in District Court Appeal Filed.		
Filed	05/30/2024	Final Ruling filed 07/29/16 on Habeas Petition Filed.		
Filed	05/30/2024	Register of Actions RIC475367 - Habeas Petition Filed.		
Generated	06/06/2024	Legacy Minute Order: Trial Readiness Conference		
Generated	06/13/2024	Legacy Minute Order: Trial Readiness Conference		
Generated	07/05/2024	Legacy Minute Order: Trial Readiness Conference		
Filed	07/05/2024	Request for Continuance Pursuant to PC 1050 filed.		
Generated	09/16/2024	Legacy Minute Order: Trial Readiness Conference		
Filed	09/16/2024	Petition to Proceed In Propria Persona filed.		
Filed	09/16/2024	Order granting Propria Persona Privileges filed.		



Filed	09/23/2024	Motion Reconsideration of Faretta Motion filed.	
Filed	09/23/2024	Motion to Dismiss Under Racial Justice Act filed.	
Filed	09/25/2024	Motion For Continuance Pursuant to 1050 PC Filed by DA	
Generated	10/03/2024	Legacy Minute Order: Hearing on Motion Re: Reconsideration of Faretta Motion	
Filed	10/03/2024	Notice of Appointment of Medical Examiner Filed.	YES Confidential
Filed	10/09/2024	Doctor's Report Filed - Confidential (Robert L. Suiter Ph.D. Psy.D.)	YES Confidential
Generated	10/10/2024	Legacy Minute Order: Return of Doctor's Report Hearing	
Generated	10/14/2024	Legacy Minute Order: Return of Doctor's Report Hearing	
Filed	10/14/2024	Order from District Court of Appeal THE PETITION FOR WRIT OF HABEAS CORPUS IS DENIED.	
Received	10/14/2024	Doctor Robert L. Suiter Ph.D. Psy.D's Report - Received	YES Confidential
Generated	10/15/2024	Legacy Minute Order: Return of Doctor's Report Hearing	
Filed	10/15/2024	Doctor's Report Filed - Confidential (Robert L. Suiter Ph.D. Psy.D.)	YES Confidential
Filed	10/15/2024	Notice of Appointment of Medical Examiner Filed.	YES Confidential
Generated	10/31/2024	Legacy Minute Order: Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.	
Generated	11/25/2024	Legacy Minute Order: Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.	
Filed	11/25/2024	Confidential Psychological Evaluation Report Filed (Confidential)	YES Confidential
Generated	12/02/2024	Legacy Minute Order: Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.	
Generated	01/09/2025	Legacy Minute Order: Jury Trial	



Filed	03/24/2025	Request for Continuance Pursuant to PC 1050	
Generated	03/24/2025	Minute Order: Jury Trial	
Filed	05/07/2025	Non- Statutory Motion to dismiss for denial of speedy trial for violation of a court order	NOEL JACKSON
Generated	05/20/2025	Clerk's Certificate of Mailing (Documents)	
Filed	05/20/2025	Order re: Contact Visit	
Filed	05/20/2025	Order re: Computer Equipment During Visitation	
Generated	06/10/2025	Minute Order: Hearing on Motion re: to dismiss for denial of speedy trial	
Filed	06/27/2025	Opposition to Motion Non-Statutory Motion to Dismiss Due to Alleged Denial of Speedy Trial Rights for Violation of a Court Order	PEOPLE OF THE STATE OF CALIFORNIA
Filed	07/10/2025	Request to Add Onto Calendar	
Generated	07/10/2025	Minute Order: Hearing on Motion re: to dismiss for denial of speedy trial	
Generated	07/15/2025	Minute Order: Hearing on Motion re: to Dismiss for Denial of Speedy Trial (Jones)	
Generated	07/15/2025	Minute Order: Calendar Add-On: RJA Motion Status	
Filed	07/16/2025	Receipt of Exhibits Ordered Returned or Released	
Filed	07/23/2025	People's opposition to defense RJA Motion	
Generated	07/30/2025	Minute Order: Hearing Set re: RJA	
Filed	08/11/2025	Request for Continuance Pursuant to PC 1050	
Generated	08/11/2025	Minute Order: Jury Trial	
Generated	08/11/2025	Minute Order: Hearing re: Marsden Motion	
Filed	09/02/2025	Motion for Continuance Pursuant to PC 1050	NOEL JACKSON
Generated	09/04/2025	Minute Order: Jury Trial	



Generated 09/19/2025 Minute Order: Hearing Set re: RJA Motion

Generated 10/17/2025 Minute Order: Hearing Set re: RJA Motion

Generated 10/31/2025 Minute Order: Hearing Set re: RJA Motion

Generated 11/03/2025 Minute Order: Jury Trial

▼ CONVICTED CHARGES

Charge	Severity	Charge Status	Conviction Date
Count 001: 187 PC Murder	Felony	Convicted	01/23/1989
Count 002: 187 PC Murder	Felony	Convicted	01/23/1989
Enhancement (Felony) - 12022.5(A) PC Add Punishment Use of Weapon (12/15/1984)	Enhancement (Felony)	Active	12/18/1984

▼ CASE LEDGER

	Amount	Paid	Balance
Fines and Fees Totals	\$4.00	\$4.00	\$0.00
Restitution Totals	\$0.00	\$0.00	\$0.00

Amount due and balance are as of 01/21/2025

> MULTI-DEFENDANT CASES

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Charge - Murder Count 002: 1st
187 PC Murder (12/15/1984) degree

Convicted Felony

Enhancement (Felony) -
12022.5(A) PC Add Punishment Use
of Weapon (12/15/1984)

Active Enhancement
(Felony)

▼ HEARINGS

Date Time	Type	Judicial Officer	Location/Courtroom	Disposition
10/03/2024 08:30 AM	Hearing on Motion Re: Reconsideration of Faretta Motion		Department 64	Continued
10/03/2024 08:30 AM	Hearing on Motion for Continuance pursuant to 1050PC Filed by DA		Department 64	Vacated
10/10/2024 08:30 AM	Return of Doctor's Report Hearing		Department 64	Continued
10/14/2024 08:30 AM	Return of Doctor's Report Hearing		Department 64	Continued
10/15/2024 08:30 AM	Return of Doctor's Report Hearing		Department 64	Continued
10/16/2024 08:30 AM	Jury Trial Trailing		Department 64	Vacated
10/16/2024 08:30 AM	Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.		Department 64	Vacated
10/31/2024 08:30 AM	Return of Doctor's Report Hearing		Department 64	Vacated
10/31/2024 08:30 AM	Jury Trial		Department 64	Vacated
10/31/2024 08:30 AM	Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.		Department 64	Continued
11/25/2024 08:30 AM	Return of Doctor's Report Hearing		Department 64	Vacated
11/25/2024 08:30 AM	Jury Trial		Department 64	Vacated
11/25/2024 08:30 AM	Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.		Department 64	Continued
12/02/2024 08:30 AM	Return of Doctor's Report Hearing		Department 64	Vacated
12/02/2024 08:30 AM	Jury Trial		Department 64	Vacated



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Status	Date	Description	Filed By	Confidential
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Generated	07/05/2024	Legacy Minute Order: Trial Readiness Conference		
Filed	07/05/2024	Request for Continuance Pursuant to PC 1050 filed.		
Generated	09/16/2024	Legacy Minute Order: Trial Readiness Conference		
Filed	09/16/2024	Petition to Proceed In Propria Persona filed.		
Filed	09/16/2024	Order granting Propria Persona Privileges filed.		



Charge - Murder Count 002: 1st
187 PC Murder (12/15/1984) degree

Convicted Felony

Enhancement (Felony) -
12022.5(A) PC Add Punishment Use
of Weapon (12/15/1984)

Active Enhancement
(Felony)

▼ HEARINGS

Date Time	Type	Judicial Officer	Location/Courtroom	Disposition
12/02/2024 08:30 AM	Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.		Department 64	Continued
01/09/2025 08:30 AM	Jury Trial		Department 64	Continued
01/09/2025 08:30 AM	Hearing re: Confirmation of Counsel.		Department 64	Vacated
01/09/2025 08:30 AM	Hearing re: Motion Alleging a Violation of the Racial Justice Act pursuant to PC 745.		Department 64	Vacated
03/24/2025 08:30 AM	Jury Trial	Joshlyn Pulliam	Department 64	Completed
06/10/2025 08:30 AM	Hearing on Motion re: to dismiss for denial of speedy trial	Joshlyn Pulliam	Department 64	Completed
06/10/2025 08:30 AM	Jury Trial	Joshlyn Pulliam	Department 64	Vacated
06/10/2025 08:30 AM	Jury Trial	Joshlyn Pulliam	Department 64	Vacated
07/10/2025 08:30 AM	Hearing on Motion re: to dismiss for denial of speedy trial	Joshlyn Pulliam	Department 64	Continued
07/15/2025 08:30 AM	Hearing on Motion re: to Dismiss for Denial of Speedy Trial (Jones)	Joshlyn Pulliam	Department 64	Completed
07/15/2025 08:30 AM	Calendar Add-On: RJA Motion Status	Joshlyn Pulliam	Department 64	Completed
07/30/2025 08:30 AM	Hearing Set re: RJA	Brian McCarville	Department 54	Completed
08/11/2025 08:30 AM	Hearing Set re: RJA Motion	Joshlyn Pulliam	Department 64	Vacated
08/11/2025 08:30 AM	Jury Trial	Joshlyn Pulliam	Department 64	Completed
08/11/2025 01:30 PM	Hearing re: Marsden Motion	Samah Shouka	Department 63	Motion Denied



Date Time Type

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Status	Date	Description	Filed By	Confidential
Filed	12/18/1984	Complaint filed. (Imaged)		
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Generated	06/13/2024	Legacy Minute Order: Trial Readiness Conference		
Generated	07/05/2024	Legacy Minute Order: Trial Readiness Conference		
Filed	07/05/2024	Request for Continuance Pursuant to PC 1050 filed.		
Generated	09/16/2024	Legacy Minute Order: Trial Readiness Conference		
Filed	09/16/2024	Petition to Proceed In Propria Persona filed.		
Filed	09/16/2024	Order granting Propria Persona Privileges filed.		



Charge - Murder Count 002: 1st
187 PC Murder (12/15/1984) degree

Convicted Felony

Enhancement (Felony) -
12022.5(A) PC Add Punishment Use
of Weapon (12/15/1984)

Active Enhancement
(Felony)

▼ HEARINGS

Date Time	Type	Judicial Officer	Location/Courtroom	Disposition
09/04/2025 08:30 AM	Hearing on Motion for Continuance pursuant to PC 1050	Joshlyn Pulliam	Department 64	Vacated
09/04/2025 08:30 AM	Hearing Set re: RJA Motion	Joshlyn Pulliam	Department 64	Vacated
09/04/2025 08:30 AM	Jury Trial	Joshlyn Pulliam	Department 64	Completed
09/19/2025 08:30 AM	Hearing Set re: RJA Motion	Joshlyn Pulliam	Department 64	Continued
10/17/2025 08:30 AM	Hearing Set re: RJA Motion	Joshlyn Pulliam	Department 64	Continued
10/31/2025 08:30 AM	Hearing Set re: RJA Motion	Gary Polk	Department 61	Completed
11/03/2025 08:30 AM	Jury Trial	Joshlyn Pulliam	Department 64	Completed
11/18/2025 01:30 PM	Hearing Set re: RJA Motion	Gary Polk	Department 61	
11/19/2025 08:30 AM	Jury Trial Trailing	Joshlyn Pulliam	Department 64	

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Status	Date	Description	Filed By	Confidential
Filed	12/18/1984	Complaint filed. (Imaged)		
Filed	03/18/1985	AMENDED COMPLAINT Filed.		
Filed	03/26/1985	Information filed.		
Filed	05/17/2024	Declaration and Order for Transportation of defendant filed.		

1 JAMES S. THOMSON
California SBN 79658
2 Attorney and Counselor at Law
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5
6 Attorney for Petitioner
NOEL JACKSON, JR.

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 NOEL JACKSON, JR.,

11 Petitioner,

12 vs.

13 LEANNA LUNDY, Acting Warden
at California State Prison – Los
14 Angeles County,

15 Respondent.
16

Case No. 2:97-cv-03531-MWF

REPLY TO RESPONDENT'S
OPPOSITION TO MOTION FOR
RELEASE OF PETITIONER

Honorable Michael W. Fitzgerald

17 I. INTRODUCTION

18 Petitioner Noel Jackson files this reply to respondent's opposition (Doc
19 #350) to his motion for release. Doc #347.

20 Respondent errs in claiming that this Court is without jurisdiction "to grant
21 Jackson further relief in this habeas corpus case." Doc #350 at 1. This Court's
22 conditional writ ordered that "within 120 days of the date of this Judgment, the
23 State of California shall either release Petitioner or grant him a new trial in
24 accordance with applicable California law and the United States Constitution."
25 Doc #312.

26 While Mr. Jackson was transferred to Riverside County and appeared in
27 Riverside County Superior Court within the 120 days provided for in the Court's
28 order, trial has not commenced. It is now set to begin on November 19, 2025. As

1 a result, the State has not complied with the conditional writ and this Court's
2 jurisdiction has not ended.

3 **II. THIS COURT HAS JURISDICTION TO GRANT RELIEF.**

4 Mr. Jackson agrees that on May 28, 2024, he was transported to Riverside
5 County Jail. Doc #350 at 3. However, the State did not "grant Jackson a new trial
6 within 120 days of the Ninth Circuit's Mandate on April 23, 2024." Doc #350 at
7 5. His trial does not start until November 19, 2025, some five-hundred-seventy-
8 five (575) days after the mandate was issued. A jury has not been empaneled and
9 trial proceedings have not begun. Thus, contrary to respondent's argument, "the
10 exact stage at which Jackson finds himself in the retrial proceedings is [] essential
11 to answering the question of whether the writ has been satisfied." Doc #350 at 4.

12 Respondent is wrong in claiming that "[a]ny concerns regarding the pace of
13 the retrial proceedings are not remediable through the vehicle of § 2254 and the
14 relief granted by this Court thereunder." Doc #350 at 6. The pace of the
15 proceedings is at issue given the Court's specific order setting a deadline for trial
16 and its subsequent orders continuing the trial as shown below.

17 On August 20, 2024, this Court "Ordered that the deadline to retry or
18 release Petitioner is extended to Defendant's current trial date, October 3, 2024. If
19 Defendant's trial in the Riverside County Superior Court will not commence on or
20 before that date, the parties are ordered to *immediately* advise the Court so that
21 further action, if warranted, can be taken." Doc #333 (emphasis in original).

22 In line with the Court's order, on September 23, 2024, respondent filed a
23 status report. Doc #334. Respondent wrote: "At the status conference on August
24 20, 2024, the court asked respondent to notify the court and counsel of any
25 developments in the state court retrial proceedings as part of the court's continuing
26 efforts to ensure compliance with the conditional writ." *Id.* at 1-2. Respondent
27 also stated that it would "continue to notify the court and counsel of any additional
28 developments in the state retrial proceedings." *Id.* at 2. Respondent did not

1 declare that the State had already complied with the conditional writ at that time.

2 On September 24, 2024, this Court issued an order informing the parties that
3 the Court's previous Order (Doc #333) remains in effect. Doc #336. The Court
4 further advised the parties that "the deadline to retry or release Petitioner remains
5 set for his current trial date, October 3, 2024. If Petitioner's trial in the Riverside
6 County Superior Court will not commence on or before that date, the parties are
7 ORDERED to immediately advise the Court so that further action, if warranted,
8 can be taken." Doc #336.

9 On October 10, 2024, respondent informed the Court that the trial date was
10 continued to October 16, 2024. Doc #337. Respondent stated it would "continue
11 to notify the court and counsel of any additional developments in the state retrial
12 proceedings." *Id.* at 3. Once again, respondent did not state that the State had
13 already complied with the conditional writ at that time.

14 On October 11, 2024, this Court issued an order extending the deadline to
15 retry or release Petitioner to his then current trial date, October 16, 2024. Doc
16 #338.

17 On November 5, 2024, this Court ordered the parties to file a report on the
18 status of petitioner's retrial or release. Doc #339.

19 On November 6, 2024, Mr. Jackson filed a pro se status report requesting to
20 be "released due to the ongoing, persistent violations of this Court's orders and
21 refusal to comply." Doc #340.

22 On November 12, 2024, respondent filed a status report. Doc #341.
23 Respondent informed to the Court that the trial was set for November 25, 2024.
24 Respondent also stated that it would "continue to notify the court and counsel of
25 developments in the state retrial proceedings." *Id.* Respondent alerted the court
26 that it intended to file a Rule 60(b)(5) motion for relief from judgment on the
27 ground that respondent believed the State has satisfied this court's judgment by
28 vacating Mr. Jackson's conviction and sentence and releasing him from all

1 custody attributable to that judgment.

2 On November 14, 2024, respondent filed a motion for relief from further
3 judgment. Doc #342. On November 15, 2024, the Court dismissed the motion for
4 relief from further judgment as unripe. Doc #343.

5 Since that time, respondent has not provided any updates to the Court nor
6 claimed that the State had already complied with the conditional writ.

7 The current opposition simply tracks the language of the motion for relief
8 (Doc #350), which was denied by this Court. Doc #343. There, and here,
9 respondent primarily relies on *Magwood, v. Patterson*, 561 U.S. 320, 332 (2010)
10 and *Fisher v. Rose*, 757 F.2d 789 (6th Cir. 1985) to argue that “further habeas
11 relief under section 2254(a) is unavailable.” Doc #350 at 3. Respondent is wrong.
12 Neither case controls the situation presented here.

13 In *Magwood*, the court “granted certiorari to determine whether Magwood’s
14 application challenging his 1986 death sentence, imposed as part of resentencing
15 in response to a conditional writ from the District Court, is subject to the
16 constraints that § 2244(b) imposes on the review of ‘second or successive’
17 habeas applications.” *Magwood*, 561 U.S. at 330. The court determined: “Section
18 2254 articulates the kind of confinement that may be challenged on the ground
19 that the petitioner is being held ‘in violation of the Constitution or laws or treaties
20 of the United States.’ § 2254(a).” The court went on to find: “Custody is crucial
21 for § 2254 purposes, but it is inextricable from the judgment that authorizes it.”
22 *Id.* at 333.

23 In *Fisher*, the district court ordered that Fisher be “‘discharged from custody
24 and prosecution by the State of Tennessee.’ The court ordered that ‘[p]etitioner
25 will be immediately released and the respondents enjoined from further
26 prosecution of Fisher’ and that ‘in the habeas context discharge from custody
27 means discharge from total custody’” *Fisher*, 757 F.2d at 790-791. The court
28 found that: “[a] conditional grant of a writ of habeas corpus requires the

1 petitioner's release from custody if new proceedings are not commenced by
2 the state within the prescribed time period." *Id.* The court noted that "the state is
3 not precluded from rearresting petitioner and retrying him under the same
4 indictment." *Id.* at 791.

5 Mr. Jackson has been sitting in Riverside County Jail since May 2024. He
6 should be released pursuant to the Court's order. No less is satisfactory. The
7 State had its chance but lost it by not bringing him to trial within 120 days.

8 **III. CONCLUSION**

9 For the forgoing reasons, the motion for release should be granted.

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11 Dated: November 18, 2025

Respectfully submitted,

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/s/ James S. Thomson

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JAMES S. THOMSON

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Attorney for Petitioner
NOEL JACKSON, JR.

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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
9

10 NOEL JACKSON, JR.,

11 Petitioner,

12 vs.

13 LEANNA LUNDY, Acting Warden
at California State Prison – Los
14 Angeles County,

15 Respondent.

Case No. 2:97-cv-03531-MWF

**PETITIONER'S FURTHER STATUS
REPORT**

Honorable Michael W. Fitzgerald

16
17 On November 19, 2025, this Court issued an order directing petitioner to
18 file a further status report in support of his motion no later than December 3, 2025,
19 if his trial has not commenced by that date. Doc # 352.

20 On November 21, 2025, counsel for petitioner was informed by Mr.
21 Jackson's Riverside trial counsel that the trial was continued to January 22, 2026
22 and the RJA motion hearing was continued to January 23, 2026. A copy of the
23 docket is attached as Exhibit A. The docket confirms those setting dates.

24 Undersigned counsel also was informed that the RJA motion was continued
25 at the court's request and the trial was continued at trial counsel's request.
26 Counsel was further informed that "[t]he DA did not oppose [counsel's] motion
27 [and that] Mr. Jackson explicitly did not join in [counsel's] request and lodged a
28 personal objection to the continuance."

1 Dated: November 22, 2025

Respectfully submitted,

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/s/ James S. Thomson

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JAMES S. THOMSON

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Attorney for Petitioner
NOEL JACKSON, JR.

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**Additional material
from this filing is
available in the
Clerk's Office.**