

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

February 28, 2017

Before

DIANE P. WOOD, *Chief Judge*

No. 17-1113

JAMES SNOW,
Petitioner-Appellant,

v.

RANDY PFISTER,
Respondent-Appellee.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 1:13-cv-3947

Elaine E. Bucklo,
Judge.

ORDER

James Snow has filed a notice of appeal from the denial of his petition under 28 U.S.C. § 2254 and an application for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find that Snow has made a substantial showing of the denial of his right to

(1) the effective assistance of trial counsel with respect to evidence about Danny Martinez and Carlos Luna, and

(2) due process under *Brady v. Maryland*, 373 U.S. 83 (1963).

See § 2253(c)(2). We also find that the district court's procedural default determination is debatable.

Accordingly, the request for a certificate of appealability is GRANTED. Briefing shall proceed as follows:

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1. Snow's opening brief and appendix shall be filed by March 30, 2017;
2. The State's response shall be filed by May 1, 2017; and
3. Snow's reply, if any, shall be filed May 15, 2017.

Important Scheduling Notice !

Notices of hearing for particular appeals are mailed shortly before the date of oral argument. Criminal appeals are scheduled shortly after the filing of the appellant's main brief; civil appeals after the filing of the appellee's brief. If you foresee that you will be unavailable during a period in which your particular appeal might be scheduled, please write the clerk advising him of the time period and the reason for such unavailability. Session data is located at <http://www.ca7.uscourts.gov/cal/calendar.pdf>. Once an appeal is formally scheduled for a certain date, it is very difficult to have the setting changed. See Circuit Rule 34(e).