**Questions Presented**

 Whether California’s undefined standard of “substantial delay” - - used to evaluate the timeliness of a non-capital habeas corpus petition - - is so vague that it is inevitably applied in a fundamentally inconsistent manner and is therefore inadequate, within the meaning of this Court’s procedural jurisprudence, to bar federal review; and whether the State should be required to prove that the standard is consistently applied?

**LIST OF PARTIES**

 Petitioner, James Walker is a warden in the California Department of Corrections and is represented by R. Todd Marshall, Esq., Sate of California, Deputy Attorney General of Sacramento, California.

 Respondent, Charles Martin, is represented by Michael B. Bigelow, Esq., of Sacramento, California.

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