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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Warren W. Summerlin,

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CIV 15-02375-PHX-ROS (MHB)

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Petitioner,

)

**ORDER**

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vs.

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Charles Ryan, et al.,

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Respondents.

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On May 3, 2016, Petitioner filed an *pro se* Amended Petition for Writ of Habeas

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Corpus pursuant to 28 U.S.C. 2254, raising various claims. (Doc. 11.) In response,

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Respondents filed a Notice of Lack of Subject Matter Jurisdiction to Consider Petitioner’s

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Second or Successive Petition for Writ of Habeas Corpus, claiming that Petitioner’s habeas

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petition should be dismissed as successive, and that Petitioner has not obtained authorization

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from the Ninth Circuit Court of Appeals to file a successive petition. (Doc. 18.) In

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Petitioner’s response, he claims that his previous habeas petition related to a different case

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number in state court (“case # CR-110502”), than the case number of the conviction he

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challenges in the instant habeas petition (“CR-125325”). (Doc. 21 at 2.)

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The Court, not having the documents before it to resolve Petitioner’s claim, will order

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Respondents to file a reply to Petitioner’s response, addressing only the issue of whether

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Petitioner’s instant habeas petition raises issues relating to a different case than his previous

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habeas petition.

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Wherefore,

