

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES-GENERAL

Case No. CV 14-3862-PA (PLA)

Date June 11, 2014

Title: Olivia D. Alonzo v. D.K. Johnson

PRESENT: THE HONORABLE PAUL L. ABRAMS

U.S. DISTRICT JUDGE

MAGISTRATE JUDGE

Christianna Howard
Deputy Clerk

N/A
Court Reporter / Recorder

N/A
Tape No.

ATTORNEYS PRESENT FOR PETITIONER:
NONE

ATTORNEYS PRESENT FOR RESPONDENT:
NONE

PROCEEDINGS: (IN CHAMBERS)

As background, on May 20, 2014, petitioner filed a habeas petition in this Court (“Petition”). In the Petition, petitioner raised two grounds for relief, and indicated that she had not raised either of those grounds in the California Supreme Court. (See Petition at 5-6). On May 23, 2014, the Court issued an Order to Show Cause Re Lack of Exhaustion, as it appeared that petitioner had not exhausted her state judicial remedies in connection with the matter (“Order to Show Cause”). In the Order to Show Cause, the Court observed that petitioner indicated in the Petition that she has not exhausted her state judicial remedies by submitting her claims to the California Supreme Court. The Court further noted, however, that a petitioner with the name “Olivia Dianne Alonzo” filed a petition for writ of habeas corpus in the California Supreme Court on January 10, 2013, in Case No. S207947, which was denied on March 20, 2013. See California Appellate Courts Case Information website at <http://appellatecases.courtinfo.ca.gov>. The Court advised petitioner that her “failure to show in [an] Amended Petition that she has exhausted her state judicial remedies, including by providing the Court with a copy of her California Supreme Court habeas petition, will result in the action being dismissed for lack of exhaustion.” (Order to Show Cause at 3).

On June 6, 2014, the Court received several documents from petitioner, including: (1) a letter explaining, among other things, that petitioner “hardly ha[s] access to the law library[;]” (2) a California Department of Corrections and Rehabilitation document entitled “Chronological History,” indicating changes to petitioner’s “[Earliest Possible Release Date];” (3) three letters of support from three of petitioner’s acquaintances in prison; (4) a completed “Petition for Writ of Habeas Corpus...” (“Second Petition”) form, containing five grounds for relief, and providing, without explanation, that “[a]ll grounds mentioned” were “not previously presented to the California Supreme Court” (Second Petition at 6); and (5) a printout of all of the filings in this action, so far.

For the same reasons as those set forth in the Court’s Order to Show Cause, **no later than June 25, 2014**, petitioner is **ordered to show cause** why the instant Petition should not be dismissed for failure to exhaust state judicial remedies. Filing by petitioner of an Amended Petition -- on the Central District of California’s form Petition for Writ of Habeas Corpus -- clearly showing that petitioner has exhausted her state judicial remedies by presenting her grounds for relief in a petition to the California Supreme Court, shall be deemed compliance

with this Order to Show Cause. Petitioner is once again advised that her failure to show in her Amended Petition that she has exhausted her state judicial remedies will result in the action being dismissed for lack of exhaustion. Petitioner is further advised that her failure to timely respond to this Order will result in the action being dismissed for failure to prosecute and follow Court orders.

The Court Clerk is directed to send petitioner a copy of her current Second Petition, together with blank copies of the forms required when filing a Petition for Writ of Habeas Corpus by a Person in State Custody. Any Amended Petition or other filing with the Court in this action shall use the case number assigned to this action.

cc: Olivia D. Alonzo, Pro se

Initials of Deputy Clerk _____ ch _____