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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JASON HURTADO,)	CASE NO. CV 14-8068-GW (PJW)
)	
Petitioner,)	ORDER TO SHOW CAUSE WHY PETITION
)	SHOULD NOT BE DISMISSED
v.)	
)	
DAVID B. LONG,)	
)	
Respondent.)	

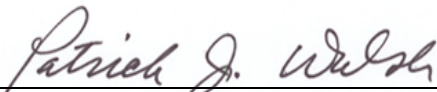
On October 6, 2014, Petitioner signed a Petition for Writ of Habeas Corpus, which was subsequently filed in this Court, challenging a 2010 conviction in Los Angeles Superior Court for murder and conspiracy to commit assault and resultant sentence of fifteen years to life in prison. (Petition at 2.) Petitioner claims that his Confrontation Clause rights were violated by the admission of untrustworthy statements against him and that trial counsel was constitutionally ineffective for failing to properly object to the admission of these statements. (Petition at 5.)

For the following reasons, Petitioner is ordered to show cause why his Petition should not be dismissed because it is time-barred. State prisoners seeking to challenge their state convictions in federal habeas corpus proceedings are subject to a one-year statute of

1 limitations. 28 U.S.C. § 2244(d). Here, Petitioner's conviction
2 became final on May 14, 2013--90 days after the California Supreme
3 Court denied his petition for review and the time expired for him to a
4 petition for writ of certiorari in the United States Supreme Court.
5 See, e.g., *Brambles v. Duncan*, 412 F.3d 1066, 1069 (9th Cir.
6 2005). Therefore, the statute of limitations expired one year later,
7 on May 14, 2014. See *Patterson v. Stewart*, 251 F.3d 1243, 1246 (9th
8 Cir. 2001). Petitioner, however, did not file this Petition until
9 October 6, 2014, almost five months after the deadline.¹

10 IT IS THEREFORE ORDERED that, no later than **November 20, 2014**,
11 Petitioner shall inform the Court in writing why this case should not
12 be dismissed with prejudice because it is barred by the statute of
13 limitations. Failure to timely file a response will result in a
14 recommendation that this case be dismissed.

15 DATED: October 21, 2014

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19 PATRICK J. WALSH
20 UNITED STATES MAGISTRATE JUDGE
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24 S:\PJW\Cases-State Habeas\HURTADO, J 8068\OSC dismiss pet.wpd
25

26 _____
27 ¹ Pursuant to the "mailbox rule" for prisoner filings, the Court
28 uses the date Petitioner signed his pleadings (and presumably
delivered them to prison staff for mailing) as the filing date. See
Houston v. Lack, 487 U.S. 266, 275-76 (1988).