

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 16-0091-PSG (AS) Date June 9, 2016

Title Gordon Dale Meador, Petitioner, v. William Muniz, Warden

Present: The Honorable Alka Sagar, United States Magistrate Judge

Alma Felix

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Petitioner:

Attorneys Present for Respondent:

N/A

N/A

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE

On December 26, 2015, Gordon Dale Meador (“Petitioner”) constructively filed a Petition for Writ of Habeas Corpus by a Person in State Custody, pursuant to 28 U.S.C. § 2254 (“Petition”) (Docket Entry No. 1). On April 28, 2016, Respondent filed a motion to dismiss the petition contending that the petition was successive and asserted claims that were untimely and unexhausted (Docket Entry No. 16). Respondent also filed a notice of lodgment with lodged documents in support of the motion to dismiss (Docket Entry No. 17). On April 29, 2016, The Court issued an order directing Petitioner to file an opposition to the Motion to Dismiss no later than May 30, 2016 (Docket Entry No. 18). On May 25, 2016, The Court issued an order denying, without prejudice, Petitioner’s ex parte motion for appointment of counsel (Docket Entry No. 20).

As of today’s date, Petitioner has failed to file an Opposition to the Motion to Dismiss or any response to the Court’s April 29, 2016 Order requiring Petitioner to file an Opposition to the Motion to Dismiss.

Accordingly, Petitioner is HEREBY ORDERED TO SHOW CAUSE why this action should not be dismissed as a mixed petition, pursuant to Rose v. Lundy, 455 U.S. 509, 522 (1982). Petitioner may file a response to this Order by filing - **no later than Thursday, June 30, 2016** - an Opposition to the motion to dismiss, a declaration, under penalty of perjury, stating why Petitioner is unable to file an opposition, or a request for voluntary dismissal of this action.

Petitioner is warned that failure to comply with this Order will result in this action being dismissed with prejudice for his failure to prosecute and/or comply with Court orders pursuant to Fed.R.Civ.P. 41(b) and/or dismissal without prejudice as a mixed petition.