

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 16-3417 JVS (MRW)	Date	June 29, 2016
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Title	Jones v. Cano
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Present: The Honorable	Michael R. Wilner
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Veronica McKamie	n/a
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Petitioner:	Attorneys Present for Respondent:
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None present	None present
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Proceedings: ORDER TO SHOW CAUSE

1. Petitioner filed this habeas action in May 2016. When the Court reviewed the petition, it concluded that the action was successive under AEDPA – and subject to summary dismissal – based on Petitioner’s failure to obtain permission from the federal appellate court to file the case. (Docket # 3.) The Court further ordered Petitioner to submit a statement indicating why the action should not be dismissed on this basis.

2. Petitioner failed to comply with the Court’s order. He filed a short statement that failed to address the successive petition question. (Docket # 7.) Instead, Petitioner indicated that there may be state proceedings underway related to his case. Petitioner requests a stay of the pending federal action during those state proceedings. Petitioner’s request is entirely unsupported by any evidence or reference to relevant case law to support his stay motion.

3. Petitioner’s response to the Court’s screening order is unsatisfactory, as is his cursory request for a delay in the federal case. In the interests of justice, the Court will give Petitioner one final chance to show cause why this action should not be dismissed as successive on the basis previously identified. Petitioner’s response will be due by July 22.