

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 20-10423-AS Date February 17, 2021

Title Kalynn Weatherspoon v. Kathleen Allison, Secretary of the California Department of Corrections and Rehabilitation

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 November 6, 2020, Kalynn Weatherspoon (“Petitioner”) filed a Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 (“Petition”). (Dkt. No. 1).¹ On January 6, 2021, Respondent filed a Motion to Dismiss the Petition (“Motion to Dismiss”) and a Lodgment. (Dkt. Nos. 9-10).

On January 7, 2021, the Court issued an Order directing Petitioner to file, by no later than February 8, 2021, either an Opposition to the Motion to Dismiss or a Statement of Non-Opposition to the Motion to Dismiss. (Dkt. No. 13). A copy of the Court’s January 7, 2021 Order is attached to this Order. The Order mailed to Petitioner was returned to the Court, “undeliverable as addressed,” by the United States Postal Service. (Dkt. No. 14).

On January 21, 2021, the Court issued an Order requiring Petitioner to provide the Court with his current address and telephone number by no later than February 1, 2021, pursuant to Local Rule 41-6. (Dkt. No. 15). The Order warned Petitioner “that if he fails to respond to this Order, the Court will recommend that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b), for Petitioner’s failure to prosecute.” Id. A copy of the Court’s January 21, 2021 Order is attached. This Order, mailed to Petitioner, was also returned to the Court as undelivered by the United States Postal Service. (Dkt. No. 17). In addition, the Notice regarding the Consent to Proceed before Magistrate

¹ The parties have consented to the jurisdiction of the Magistrate Judge for all purposes. (Dkt. Nos. 2, 11-12).

