

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 5:23-cv-01406-WLH-MAA Date: February 5, 2024

Title Lucia Santana v. Warden

Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Narissa Estrada  
Deputy Clerk

N/A  
Court Reporter / Recorder

Attorneys Present for Petitioner:  
N/A

Attorneys Present for Respondent:  
N/A

**Proceedings (In Chambers):            Order to Show Cause Regarding Petitioner’s Failure to File  
Opposition to Respondent’s Motion to Dismiss  
(ECF No. 11)**

On July 13, 2023, Petitioner filed a *pro se* Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (“Petition”). (ECF No. 1.) After Petitioner paid the filing fee, on November 7, 2023, the Court issued an Order Requiring Response to Petition (“ORR”). (ECF No. 5; ORR, ECF No. 7.) On December 7, 2023, Respondent filed a Motion to Dismiss the Petition (“Motion”). (ECF No. 11.) By the terms of the ORR, Petitioner’s opposition to the Motion was due within thirty days after service of that Motion, or January 6, 2023. (ORR 2.) To date, Petitioner has neither filed an opposition to the Motion nor requested an extension of time in which to file such opposition.

Petitioner is **ORDERED TO SHOW CAUSE** by **March 6, 2024** why the Court should not recommend that the lawsuit be dismissed for failure to file an opposition to the Motion, failure to comply with Court orders, and failure to prosecute. If Petitioner files an opposition to the Motion on or before that date, the Order to Show Cause will be discharged, and no additional action need be taken.

**Petitioner is advised that failure to file an opposition to the Motion may be construed as consent to the granting of the Motion and may result in a recommendation that the lawsuit be dismissed. See C.D. Cal. L.R. 7-12. Petitioner also is advised that failure to comply with this order may result in a recommendation that the lawsuit be dismissed for failure to prosecute and/or failure to comply with Court orders. See C.D. Cal. L.R. 41-1.**

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This Order is non-dispositive. However, if Petitioner believes this Order erroneously disposes of any of his claims or precludes any relief sought, he may file objections with the district judge within twenty (20) days after the date of the Order. *See Bastidas v. Chappell*, 791 F.3d 1155, 1162 (9th Cir. 2015); Fed. R. Civ. P. 72.

It is so ordered.