

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
78 EASTERN DISTRICT OF CALIFORNIA  
910 JOHN KEVIN DUMLAO, 1:08-cv-01142-LJO-SMS (HC)  
1112 Petitioner, ORDER DIRECTING RESPONDENT TO  
13 v. SUBMIT EXHIBITS ATTACHED TO STATE  
14 COURT FILINGS, IF ANY15 HEDGPETH, Warden,  
1617 Respondent. /  
1819 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus  
20 pursuant to 28 U.S.C. § 2254.21 Now pending before the Court is Respondent's motion to dismiss the instant petition as  
22 unexhausted filed November 26, 2008. (Court Doc. 25.) On December 30, 2008, Respondent  
23 submitted a second copy of the motion to dismiss with exhibits attached. (Court Doc. 30.) After  
24 a review of the exhibits, the Court cannot determine whether the copy of the petition filed in the  
California Supreme Court is a verbatim copy of such filing, including any exhibits and  
documents that may have been filed. Respondent is directed, if not already done so, to submit a  
complete copy of the state habeas petition filed in the California Supreme Court.

25 Accordingly, it is HEREBY ORDERED that:

26 1. Within **ten (10)** days from the date of service of this order, Respondent shall  
27 submit a complete copy of the state court petition filed in the California Supreme  
28 Court; and,

2. If the copy of the petition submitted by Respondent on December 30, 2008 is complete, Respondent shall file a response so indicating.

IT IS SO ORDERED.

Dated: January 8, 2009

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE