

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RUBEN GONZALEZ MENDEZ,

1:08-cv-01403-DLB (HC)

Petitioner,

ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED

v.

NEIL H. ADLER,

Respondent.

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Pursuant to 28 U.S.C. § 636(c)(1), the parties have consented to the jurisdiction of the United States Magistrate Judge.

Petitioner filed the instant petition for writ of habeas corpus on September 19, 2008. (Court Doc. 1.) On September 29, 2008, the Court directed Respondent to file a response to the petition within sixty days from the date of service; however, the order was inadvertently not served on Respondent. Therefore, on January 12, 2009, the Court re-served the September 29, 2008 order, and the deadlines set forth were effective as of the re-service date. (Court Doc. 8.)

Over sixty days have passed and Respondent has failed to file a response. Review of the certificate of service reveals that Respondent was served with the order at the appropriate address.

Local Rule 11-110 provides that “a failure of counsel or of a party to comply with these Local Rules or with any order of the Court may be grounds for the imposition by the Court of any

1 and all sanctions . . . within the inherent power of the Court.”

2 Accordingly, it is HEREBY ORDERED within twenty (20) days of service of this order,
3 to SHOW CAUSE why appropriate sanctions should not be imposed for failing to obey a court
4 order.

5 IT IS SO ORDERED.

6 **Dated: April 22, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE