UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TONY B. ALEXANDER, Petitioner, v. SCOTT SCHLEDER, Southeast Regional DHO, Respondent.	1:09-cv—00434-SKO-HC ORDER DEEMING MOTION (DOC. 16) TO BE A TRAVERSE ORDER DENYING REQUEST CONCERNING TRAVERSE (DOC. 15) AS MOOT

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 the parties' consent, the matter has been referred to the Magistrate Judge for all proceedings, including the entry of final judgment, pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73(b), and Local Rule 301.

On March 8, 2010, Petitioner filed a document (Doc. 16) entitled, "Motion Pursuant Traverse For the order concerning 28 U.S.C. section 2241 In Violation of Plaintiff Procedural Due Process and Fifth Amendment rights," in which Petitioner responded to the answer previously filed by Respondent. In order

to maintain an accurate docket, the Court DEEMS Petitioner's motion to be Petitioner's traverse to Respondent's answer to the petition.

Further, Petitioner's request (Doc. 15), entitled as an emergency motion concerning Petitioner's traverse and filed on February 17, 2010, is DENIED as moot because Petitioner's traverse has been located and has been filed.

IT IS SO ORDERED.

Dated: June 20, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE