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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KEVIN DAVENPORT,	)	1:09-cv-00665-JLT HC
	)	
Petitioner,	)	ORDER TO SHOW CAUSE WHY THE
	)	STAY SHOULD NOT BE LIFTED AND THE
v.	)	PETITION ADJUDICATED
	)	
	)	ORDER DIRECTING RESPONSE WITHIN
	)	TWENTY DAYS
JOHN W. HAVILAND, Warden,	)	
	)	
Respondent.	)	

Petitioner is a state prisoner proceeding via counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner filed the instant petition on March 23, 2009. (Doc. 1). On April 22, 2009, the Court granted Petitioner a stay of proceedings to permit Petitioner to exhaust his claims in state court. (Doc. 13). In that order, the Court required Petitioner to file an initial status reports within thirty days and, thereafter, to file regular status reports every sixty days. Petitioner initially filed a status report on May 22, 2009. (Doc. 15). Subsequently, Petitioner filed status reports on June 22, 2009, July 23, 2009, and on September 9, 2009. (Docs. 16, 17, & 18). In the most recent status report, Petitioner’s counsel indicated that the Kern County Superior Court had ruled that Petitioner’s Sixth Amendment right to effective assistance of counsel had been denied and had scheduled a re-sentencing hearing for September 30, 2009. (Doc. 18). However, Petitioner has not filed any status

1 reports in the ensuing six months.

2 **ORDER TO SHOW CAUSE**

3 Accordingly, Petitioner is HEREBY ORDERED TO SHOW CAUSE within twenty (20)  
4 days of the date of service of this order why the stay in effect in this case should not be lifted and  
5 why adjudication of the original petition should not proceed.

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7 IT IS SO ORDERED.

8 Dated: March 5, 2010

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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