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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

GERALD RIGHETTI,	1:09-cv-01626-DLB (HC)	
Petitioner,		ORDER DIRECTING RESPONDENT TO
v.		SUBMIT REPLY TO PETITIONER'S
		OPPOSITION ADDRESSING ISSUE OF
		EQUITABLE TOLLING
A. HEDGPETH,	[Doc. 17]	
Respondent.		

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to 28 U.S.C. § 636(c)(1), the parties have consented to the jurisdiction of the United States Magistrate Judge.

On November 20, 2009, Respondent filed a motion to dismiss the petition as untimely under § 2244(d). Petitioner filed a timely opposition on February 18, 2010. (Court Doc. 17.) Petitioner raises several grounds he claims he is entitled to equitable tolling, including, but not limited to, mental incompetency. The Court finds it necessary for Respondent to address Petitioner's claims. Accordingly, it is **HEREBY ORDERED** that within thirty (30) days from the date of service of this order, Respondent shall file a reply to Petitioner's opposition.

IT IS SO ORDERED.

<b>Dated: <u>March 2, 2010</u></b>	<b><u>/s/ Dennis L. Beck</u></b>
	UNITED STATES MAGISTRATE JUDGE