

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

TAELIENIU FAATILIGA,

1:09-cv-02039-LJO-DLB (HC)

Petitioner,

ORDER DIRECTING RESPONDENT TO FILE
ANSWER TO PETITION WITHIN FORTY-
FIVE (45) DAYS FROM THE DATE OF
SERVICE OF THIS ORDER

JAMES D. HARTLEY,

Respondent.

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

Petitioner filed the instant petition for writ of habeas corpus on November 20, 2009.

16 (Court Doc. 1.) On January 29, 2010, Respondent filed a motion to dismiss one of the claims
17 from the petition as untimely. (Court Doc. 11.) Petitioner filed an opposition and Respondent
18 filed a reply. (Court Docs. 12, 13.)

On March 1, 2010, the undersigned issued Findings and Recommendations to deny Respondent's motion to dismiss. (Court Doc. 14.) On April 21, 2010, the Findings and Recommendation was adopted in full and the matter was referred back to the undersigned for further proceedings. (Court Doc. 15.)

Within **forty-five (45)** days from the date of service of this order, Respondent is directed to file an answer to the petition. All of the provisions of the Court's December 2, 2009, remain in full force and effect.

IT IS SO ORDERED.

Dated: April 23, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE