

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSE RODRIGUEZ PUERTO,	)	1:10-CV-01737 GSA HC
	)	
Petitioner,	)	ORDER TO SHOW CAUSE WHY PETITION
	)	SHOULD NOT BE DISMISSED FOR
v.	)	FAILING TO COMPLY WITH A COURT
	)	ORDER
	)	[Doc. #5]
RAUL LOPEZ,	)	
	)	
Respondent.	)	

---

Petitioner is a state prisoner proceeding pro se with a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254.

On September 22, 2010, an Order re: Consent or Request for Reassignment was issued in this case. Petitioner was instructed to return the consent/decline form within thirty (30) days of the date of service of the order. Over thirty (30) days passed and Petitioner failed to comply. On November 8, 2010, the Court issued a second Order re: Consent or Request for Reassignment. Petitioner was again instructed to return the consent/decline form within thirty (30) days of the date of service of the order. Over thirty (30) days have passed, and Petitioner has still not complied. Local Rule 110 provides: "Failure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court."

Accordingly, Petitioner is ORDERED TO SHOW CAUSE, within fifteen (15) days of service of this order, why the petition should not be dismissed for failure to comply with a court

1 order. Failure to respond to this order will result in dismissal of the action.

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS SO ORDERED.

**Dated: December 15, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE