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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOHNNY LUGO IBARRA,

1:10-cv-1809-LJO-DLB (HC)

Petitioner,

ORDER TO SHOW CAUSE WHY STAY OF
PETITION SHOULD NOT BE VACATED

v.

ANTHONY HEDGPETH,

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 June 16, 2011, the Court granted Petitioner’s request to stay the petition pending exhaustion in the state courts. Petitioner was directed to file a status report every thirty days thereafter. Petitioner has filed a total of nine status reports-the most recent on September 20, 2012. However, Petitioner has failed to file a timely status report after the September 20, 2012, filing. Accordingly, within twenty (20) days from the date of service of this order, Petitioner shall show cause why the stay should not be vacated. Petitioner is advised that failure to comply with this order may result in a recommendation that the action be dismissed for failure to prosecute. Local Rule 110.

IT IS SO ORDERED.

Dated: November 1, 2012

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE