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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSE LUIS MEDINA-LARA,	)	1:10-cv-02255-JLT HC
	)	
Petitioner,	)	ORDER MODIFYING ORDER TO SHOW
	)	CAUSE DATED DECEMBER 15, 2010 (Doc.
v.	)	4)
	)	
ERIC H. HOLDER, JR., et. al.,	)	
	)	
Respondents.	)	

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Petitioner is detained by the United States Bureau of Immigration and Customs Enforcement (“ICE”) and is proceeding with a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

On December 15, 2010, after conducting a preliminary review of the petition, the Court issued an Order to Show Cause why the petition should not be granted that required Respondent to file a response within forty-five days. (Doc. 4). The Order to Show Cause also established a briefing schedule. On December 27, 2010, Petitioner filed a first amended petition that, in sum, set forth the same allegations as in the original petition, but in greater particularity. (Doc. 8). Thus, the Court will order that Respondent file a response to the first amended petition rather than to the original petition, and, toward that end, the Court will modify the briefing schedule accordingly.

Therefore, IT IS HEREBY ORDERED:

- Respondent is ORDERED TO SHOW CAUSE why the First Amended Petition (Doc.

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8), should not be granted. The Return to the Order to Show Cause is due within FORTY-FIVE (45) days of the date of service of this order. Petitioner may file a Traverse to the Return within TEN (10) days of the date the Return to the Order to Show Cause is filed with the Court.

2. The Clerk of the Court is DIRECTED to SERVE a copy of the Petition for Writ of Habeas Corpus on the United States Attorney.

The Court has determined that this matter is suitable for decision without oral argument pursuant to Local Rule 230(h). As such, the matter will be taken under submission following the filing of Petitioner's Traverse or the expiration of the time for filing the Traverse. All other briefing in this action is suspended.

IT IS SO ORDERED.

Dated: January 5, 2011

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE