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

LARISSA SCHUSTER,

Petitioner,

v.

DEBORAH K. JOHNSON,

Respondent.

Case No. 1:12-cv-01482-AWI-SAB-HC

ORDER FOLLOWING REMAND FROM  
THE NINTH CIRCUIT COURT OF  
APPEALS

ORDER SETTING BRIEFING SCHEDULE

Pursuant to the mandate of the United States Court of Appeals for the Ninth Circuit in the case of Schuster v. Johnson, Case No. 16-15604, the judgment of the district court was reversed and this case was remanded for further proceedings. (ECF Nos. 67, 70).

Accordingly, pursuant to the Ninth Circuit’s mandate, the Court HEREBY ORDERS:

1. Within **SIXTY (60) days** of the date of service of this order, Respondent SHALL FILE an ANSWER addressing the merits of the Petition.. See Rule 4, Rules Governing Section 2254 Cases; Cluchette v. Rushen, 770 F.2d 1469, 1473-74 (9th Cir. 1985) (court has discretion to fix time for filing a response). Any argument by Respondent that Petitioner has procedurally defaulted a claim SHALL BE MADE in the ANSWER, but must also address the merits of the claim asserted.
2. Within **SIXTY (60) days** of the date of service of this order, Respondent SHALL FILE any and all transcripts or other documents necessary for the resolution of the

1 issues presented in the Petition. See Rule 5(c), Rules Governing Section 2254  
2 Cases.

3 3. Petitioner MAY FILE a Traverse within **THIRTY (30) days** of the date  
4 Respondent's Answer is filed with the Court. If no Traverse is filed, the Petition  
5 and Answer are deemed submitted at the expiration of the thirty days.

6 Extensions of time will only be granted upon a showing of good cause. All provisions of  
7 Local Rule 110 are applicable to this order.

8 IT IS SO ORDERED.

9 Dated: June 22, 2017

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12 UNITED STATES MAGISTRATE JUDGE  
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