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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IGNACIO RODRIGUEZ AVILES,

1:12-CV-01572 GSA HC

Petitioner,

ORDER VACATING ORDER TO SHOW
CAUSE
[Doc. #8]

v.

ORDER DIRECTING CLERK OF COURT
TO FORWARD CONSENT/DECLINE FORM
TO PETITIONER

FRESNO COUNTY SUPERIOR COURT,

Respondent.

ORDER DIRECTING PETITIONER TO
COMPLETE AND RETURN
CONSENT/DECLINE FORM

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

On January 2, 2013, the Court issued an order directing Petitioner to show cause why the petition should not be dismissed for failure to comply with court orders. On January 18, 2013, Petitioner responded to the order to show cause stating he did not receive the Court's previous orders. He states he was transferred from Wasco State Prison to the Valley State Prison at Chowchilla and his mail was not forwarded. He claims he notified the Court of his changed address but the notification was not received by the Court. He further claims mail has been delayed at his institution.

Good cause having been presented, and good cause appearing therefor, IT IS HEREBY

1 ORDERED:

- 2 1) The order to show cause dated January 2, 2013, is VACATED;
- 3 2) The Clerk of Court is DIRECTED to send Petitioner a blank consent/decline form;
- 4 3) Petitioner is GRANTED fourteen (14) days from the date of service of this Order to
- 5 complete and return the form and indicate whether Petitioner consents or declines to the jurisdiction
- 6 of the Magistrate Judge. Failure to timely comply will result in dismissal of the petition.

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8 IT IS SO ORDERED.

9 Dated: January 28, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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