

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEFAN E. EVANS,
Petitioner,
v.
SOTO, Warden,
Respondent.

Case No. 1:12-cv-01652-LJO-BAM-HC

ORDER DIRECTING RESPONDENT TO FILE AN ANSWER TO THE PETITION NO LATER THAN SIXTY (60) DAYS AFTER SERVICE OF THIS ORDER

ORDER PERMITTING PETITIONER TO FILE
A TRAVERSE NO LATER THAN THIRTY
(30) DAYS AFTER SERVICE OF THE
ANSWER

Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 through 303.

On February 1, 2013, Respondent was directed to file a response to the petition. Respondent subsequently filed a motion to dismiss the petition, which was denied.

Accordingly, Respondent is DIRECTED to proceed to respond to the petition in accordance with the Court's order of February 1, 2013, by filing within sixty days an answer addressing the merits of

1 the petition, which shall include any and all transcripts or other
2 documents necessary for the resolution of the issues presented in
3 the petition. See Rule 5, Rules Governing Section 2254 Cases. Any
4 argument by Respondent that a claim of Petitioner has been
5 procedurally defaulted SHALL BE MADE in the answer, but must also
6 address the merits of the claim asserted.

7 Petitioner MAY FILE a traverse no later than THIRTY (30) days
8 after the date of service of Respondent's answer. If no traverse is
9 filed, the petition and answer are deemed submitted at the
10 expiration of the thirty (30) days.

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12 IT IS SO ORDERED.

13 Dated: May 14, 2015

14 /s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE

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