

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RUBEN VALDEZ.

Petitioner,

Y.

CONNIE GIPSON, Warden,

Respondent.

Case No. 1:12-cv-01784 AWI MJS (HC)

ORDER REQUIRING RESPONDENT TO PROVIDE COPIES OF STATE COURT RECORDS

18 Petitioner is a state prisoner proceeding *pro se* in a habeas corpus action under
19 28 U.S.C. § 2254. On March 5, 2013, Respondent filed an answer to the petition, and
20 lodged state court records referenced in the answer with the Court. (ECF Nos. 24-25.) In
21 her answer, Respondent also refers to documents previously provided in support of a
22 motion to dismiss from a prior habeas petition Petitioner filed with this Court. (See
23 Valdez v. Virga, E.D. Cal. Case No. 1:11-cv-01603-LJO-GSA, ECF No. 25.) The
24 documents provided in the prior case are only partial copies of the relevant state court
25 records.¹

¹ For example, Respondent provided the first and last page of several of Petitioner's state habeas petitions. Without the copies of the remaining pages of the petitions, the Court is unable to determine what claims were presented in the petitions.

The Court ORDERS Respondent to provide the Court complete copies of the state court records previously provided in Petitioner's prior federal habeas proceeding within fourteen (14) days of the date of issuance of this order. See Rule 7, Rules Governing Section 2254 Cases (Court may direct the parties to expand the record).

IT IS SO ORDERED.

Dated: January 21, 2015

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE