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

ARMANDO PEREZ RAMIREZ,
Petitioner,

v.

MICHAEL L. BENOVA,
Respondent.

Case No. 1:13-cv-01906 AWI MJS (HC)

**ORDER GRANTING RESPONDENT
TWENTY (20) DAYS IN WHICH TO SUBMIT
MATERIALS IN SUPPORT OF MOTION TO
DISMISS**

**ORDER GRANTING PETITIONER
OPPORTUNITY TO SUPPLEMENT
OPPOSITION TO MOTION TO DISMISS**

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On March 3, 2014, Respondent filed a motion to dismiss the petition as moot. The petition concerns a disciplinary hearing held before a disciplinary hearing officer (“DHO”) who is not an employee of the Federal Bureau of Prisons (“BOP”). Respondent contends that claims concerning the disciplinary charges and sanctions that were the subject of the petition have been rendered moot because the charges have been considered by a DHO who is a BOP employee and who imposed independent sanctions.

However, Respondent has not submitted any evidence of the asserted rehearing process giving rise to the request for dismissal. Specifically, Respondent has not provided evidence to establish that the disciplinary hearing occurred or that the DHO at

1 the new hearing was a BOP employee.

2 A court has inherent power to control its docket and the disposition of its cases
3 with economy of time and effort for both the court and the parties. Landis v. North
4 American Co., 299 U.S. 248, 254-255 (1936); Ferdik v. Bonzelet, 963 F.2d 1258, 1260
5 (9th Cir. 1992). In the interest of the efficient administration of justice, the Court
6 exercises its discretion to permit Respondent to supplement the motion with appropriate
7 documentation and evidentiary materials in support of the motion for dismissal.

8 Accordingly, it is ORDERED that Respondent shall SUBMIT materials in support
9 of the motion to dismiss no later than twenty (20) days after the date of service of this
10 order. Petitioner is GRANTED thirty (30) days after the date on which Respondent
11 submits materials to the Court to supplement his opposition to the motion.

12 IT IS SO ORDERED.

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14 Dated: May 1, 2014

/s/ Michael J. Seng
15 UNITED STATES MAGISTRATE JUDGE

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