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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JARMAAL SMITH,

Petitioner,

v.

CHRISTIAN PFEIFFER,

Respondent.

Case No. 1:16-cv-00200-LJO-SAB-HC

ORDER DISCHARGING ORDER TO
SHOW CAUSE

(ECF Nos. 12, 14)

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 22, 2016, Petitioner filed the instant federal petition for writ of habeas corpus in the United States District Court for the Northern District of California. (ECF No. 1). On February 11, 2016, the petition was transferred to this Court. (ECF No. 5). On January 9, 2017, the Court ordered Petitioner to show cause why the petition should not be dismissed as untimely.¹ (ECF No. 12). On February 13, 2017, Petitioner filed his response. (ECF No. 14).

Based on the record before the Court at this time, the Court is unable to determine whether Petitioner’s federal habeas petition was filed within the one-year limitation period. Accordingly, IT IS HEREBY ORDERED that:

¹ The order to show cause was issued by Magistrate Judge Sandra M. Snyder. Thereafter, the case was reassigned to the undersigned. (ECF No. 13).

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1. The order to show cause issued on January 9, 2017 (ECF No. 12) is DISCHARGED;
- and
2. The motion to rescind the order to show cause (ECF No. 14) is TERMINATED.

IT IS SO ORDERED.

Dated: March 9, 2017


UNITED STATES MAGISTRATE JUDGE