

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LUIS CALDERON,
Petitioner,
v.
FREDERIC FOULKS,
Respondent.

Case No. 1:16-cv-00276-LJO-SAB-HC

ORDER TO SHOW CAUSE WHY STAY
SHOULD NOT BE VACATED

SEVEN DAY DEADLINE

Petitioner is a state prisoner, represented by counsel, proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 26, 2016, the Court stayed the federal habeas proceedings pending exhaustion of state remedies and ordered Petitioner to file an initial status report within thirty days of the date of service of the order and every ninety days thereafter. (ECF No. 18). Petitioner last filed a status report on January 18, 2017. (ECF No. 22). Over ninety days have passed, and Petitioner has not filed a subsequent status report.

Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” The Court previously notified Petitioner that not complying with the Court’s order would result in the Court vacating the stay. (ECF No. 18 at 2).

///

