UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LUIS CALDERON,	Case No. 1:16-cv-00276-LJO-SAB-HC
Petitioner,	ORDER TO SHOW CAUSE WHY STAY SHOULD NOT BE VACATED
v.	
FREDERIC FOULKS,	SEVEN-DAY DEADLINE
Respondent.	

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 instant 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).

On September 29, 2016, the Court issued an order to show cause why the stay should not be vacated for Petitioner's failure to file an initial status report. (ECF No. 19). Petitioner filed an initial status report on October 6, 2016, and a subsequent status report on January 18, 2017. (ECF Nos. 20, 22). Thereafter, on April 26, 2017, the Court issued a second order to show cause for Petitioner's failure to file a timely status report. (ECF No. 23). On May 15, 2017, Petitioner informed the Court of the status of the state court proceedings. (ECF No. 25).

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1   Over ninety days have passed, and Petitioner has not filed a subsequent status report.

2 Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or

3 with any order of the Court may be grounds for imposition by the Court of any and all sanctions

4 authorized by statute or Rule or within the inherent power of the Court." The Court previously

5 notified Petitioner that not complying with the Court's order would result in the Court vacating

6 the stay. (ECF No. 18 at 2).

7   Accordingly, it is HEREBY ORDERED that within SEVEN (7) days of the date of

8 service of this order, Petitioner shall show cause why the stay should not be vacated.

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10 IT IS SO ORDERED.

11 Dated: **August 31, 2017**

UNITED STATES MAGISTRATE JUDGE