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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 VACATING HEARING ON
RESPONDENT'S MOTION TO DISMISS
SET FOR NOVEMBER 7, 2018 AT 10:00
A.M.

Petitioner, who is represented by counsel, is proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Pursuant to the Local Rule, Petitioner's opposition to the motion to dismiss was due on October 24, 2018. L.R. 230(c). Petitioner did not file a timely opposition to the motion. The Local Rule provides that a party who fails to file a timely opposition is not entitled to be heard in opposition to the motion at oral argument. L.R. 230(c). The matter is taken under submission and shall be decided on the papers.

IT IS SO ORDERED.

Dated: October 29, 2018


UNITED STATES MAGISTRATE JUDGE