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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 FELIPE GUERRA SANCHEZ,

11 Petitioner,

12 v.

13 RONALD RACKLEY,

14 Respondent.

Case No. 1:16-cv-00604-LJO-EPG-HC

ORDER DIRECTING CLERK'S OFFICE TO
RE-SERVE ORDER (ECF No. 18) AND
SEND PETITIONER RESPONDENT'S
SUPPLEMENTAL BRIEF (ECF No. 19)

ORDER DIRECTING PETITIONER TO
FILE SUPPLEMENTAL BRIEF RE:
EQUITABLE TOLLING

ORDER DIRECTING PETITIONER TO
FILE UPDATED ADDRESS

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18 Petitioner is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus
19 pursuant to 28 U.S.C. § 2254. On September 27, 2016, the undersigned issued findings and
20 recommendation recommending that Respondent's motion to dismiss be granted and the petition
21 be dismissed as untimely. (ECF No. 16). In light of Petitioner's objections raising the issue of
22 equitable tolling, the Court vacated the findings and recommendation and ordered supplemental
23 briefing. (ECF No. 18). On December 19, 2016, Respondent filed his supplemental brief. (ECF
24 No. 19). On January 4, 2017, the order regarding supplemental briefing was returned as
25 undeliverable. According to the California Department of Corrections and Rehabilitation's
26 online inmate locator, Petitioner has been moved and is currently held at the Correctional
27 Training Facility in Soledad, California.¹ Given the fact-intensive nature of equitable tolling

28 ¹ The online inmate locator does not indicate whether Petitioner is housed in Facility A, B, C, or D.

1 claims, the Court finds that a supplemental brief by Petitioner on the issue of equitable tolling
2 would assist the Court in this matter.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The Clerk's Office is DIRECTED to send a copy of this order, the order regarding
5 supplemental briefing (ECF No. 18), and Respondent's supplemental brief (ECF No. 19)
6 to the following addresses:

7 Correctional Training Facility
8 P.O. Box 705
9 Soledad, CA 93960

10 Correctional Training Facility
11 P.O. Box 689
12 Soledad, CA 93960

13 Correctional Training Facility
14 P.O. Box 690
15 Soledad, CA 93960

- 16 2. Within THIRTY (30) days of the date of service of this order, Petitioner shall file a
17 response to Respondent's supplemental brief regarding equitable tolling; and
18 3. Within THIRTY (30) days of the date of service of this order, Petitioner shall file his
19 updated address with the Court.

20 Petitioner is forewarned that failure to follow this order may result in dismissal of the
21 petition pursuant to Federal Rule of Civil Procedure 41(b) (a petitioner's failure to prosecute or
22 to comply with a court order may result in a dismissal of the action).

23 IT IS SO ORDERED.

24 Dated: January 9, 2017

25 /s/ Eric P. Gray
26 UNITED STATES MAGISTRATE JUDGE
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