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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JORGE ANTONIO MILAN-RODRIGUEZ,

Petitioner,

v.

LORETTA E. LYNCH,

Respondent.

Case No. 1:16-cv-01578-SAB-HC

ORDER FOR RESPONDENT TO FILE AN
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO MOTION TO AMEND
(ECF No. 14)

ORDER SETTING BRIEFING SCHEDULE

Petitioner is federal immigration detainee proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On December 19, 2016, Respondent filed a motion to dismiss for lack of jurisdiction. (ECF No. 13). On January 3, 2017, the Court received Petitioner’s request “to be granted a suitable amount of time in which to amend his petition.” (ECF No. 14). The Court construes this request as a motion to amend. See Castro v. United States, 540 U.S. 375, 381–82 (2003) (courts may recharacterize a pro se motion to “create a better correspondence between the substance of a pro se motion’s claim and its underlying legal basis”).

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1 Accordingly, the Court HEREBY ORDERS Respondent to file an opposition or
2 statement of non-opposition to the motion to amend no later than January 27, 2017. If
3 Respondent files an opposition, Petitioner may file a reply within seven (7) days after the
4 opposition is served.

5 IT IS SO ORDERED.

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7 Dated: January 11, 2017



UNITED STATES MAGISTRATE JUDGE

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