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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE ANGEL PEREZ,
Petitioner,
v.
ANDRE MATEVOUSIAN,
Respondent.

Case No. 1:17-cv-01075-JDP

ORDER SETTING A BRIEFING SCHEDULE
FOR RESPONDENT’S MOTION TO
DISMISS THE PETITION FOR A WRIT OF
HABEAS CORPUS

(Doc. No. 15)

Respondent moves to dismiss pro se petitioner Jose Angel Perez’s petition for a writ of habeas corpus filed under 28 U.S.C. § 2241. (Doc. No. 15.) Respondent contends that the petition is moot because the U.S. District Court for the Eastern District of North Carolina recently amended its April 11, 1994 judgment to reflect that the charge against petitioner under 18 U.S.C. § 924(c)—possession of a firearm during a drug trafficking crime—had been vacated. (*See* Doc. No. 15-1, at 17 (Amended Judgment).) Petitioner’s deadline for responding to the motion to dismiss—Wednesday, April 25, 2018—has passed, but the court has not received a response from petitioner. Although the court will allow petitioner another opportunity to respond to the motion to dismiss, petitioner’s failure to respond may result in the dismissal of this case.

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Accordingly,

1. Petitioner’s new deadline for responding to respondent’s motion to dismiss is Tuesday, June 26, 2018; and
2. Petitioner’s failure to respond to the motion to dismiss may result in dismissal of this case.

IT IS SO ORDERED.

Dated: June 5, 2018

/s/ Jeremy D. Peterson
UNITED STATES MAGISTRATE JUDGE