

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD ANTHONY PETERSON,
Petitioner,
v.
JOE LIZARRAGA, Warden of MCSP
Respondent.

No. 1:17cv-01537-LJO-SKO HC

**ORDER TO SHOW CAUSE WHY
RESPONDENT SHOULD NOT BE
SANCTIONED FOR FAILURE TO
RESPOND TO THE PETITION**

RESPONSE DUE WITHIN 15 DAYS

On October 19, 2017, United States Magistrate Judge Gregory G. Hollows from the Sacramento Division of the United States District Court for the Eastern District of California ordered Petitioner to file his petition for writ of habeas corpus within 60 days and Respondent to file a response 60 days thereafter. (Doc. 11). Petitioner filed his petition on October 30, 2017. (Doc. 14). On November 17, 2017, Judge Hollows transferred the case to this Court.

On December 13, 2017, this Court granted Petitioner’s Motion to Strike his “Notice of Failure to Respond by the California Attorney General,” noting that Respondent had until January 2, 2018 to respond to the petition. Although Respondent was required to file a response on or before January 2, 2018, Respondent has neither filed his response nor requested an extension of time in which to do so.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Court has discretion to impose any and all sanctions authorized by statute or Rule or within the inherent power of the Court, based on Respondent's failure to comply with the Court's order. Fed. R. Civ. P. 11; Local Rule 110.

Accordingly, the Court hereby ORDERS that within 15 days from the date of this order, Respondent shall file a written response to the Court, showing cause why sanctions should not be imposed against him for failure to obey the Court's order of October 19, 2017. Filing of the answer to the petition shall be considered an appropriate response.

IT IS SO ORDERED.

Dated: January 4, 2018

/s/ Sheila K. Oberlo
UNITED STATES MAGISTRATE JUDGE