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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RICHARD ANTHONY PETERSON,

Petitioner,

v.

JOE LIZARRAGA, Warden of MCSP,

Respondent.

Case No. 1:17-CV-01537-LJO-SKO HC

ORDER DENYING PETITIONER’S MOTION
FOR STATE COURT RECORDS AS
PREMATURE

(Docs. 32)

Petitioner, Richard Anthony Peterson, is a state prisoner proceeding *pro se* and *in forma pauperis* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 7, 2018, Petitioner filed a motion to order Respondent to provide him with state court records.

On January 26, 2018, the Court granted Respondent a 30 day extension of time to file his responsive brief and to lodge the state court records in this case. Respondent has until February 28, 2018, to file a response and lodge the state court records and Respondent will serve the lodged documents on Petitioner when Respondent files them with the Court.

Accordingly, the Court will DENY Petitioner’s motion as premature.

IT IS SO ORDERED.

Dated: February 12, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE