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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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

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

**ORDER DENYING PETITIONER'S
MOTION FOR SANCTIONS AS
PREMATURE**

**ORDER DIRECTING RESPONDENT
TO FILE STATUS REPORT**

(Docs. 38, 40)

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 March 5 and 9, 2018, Petitioner filed motions for sanctions against Respondent for failing to serve Petitioner with the state court record.

On March 2, 2018, this Court granted Respondent a 14 day extension of time to serve the state court record on Petitioner. As such, Petitioner's motions for sanctions were prematurely filed. The Court will deny Petitioner's motions for sanctions filed on March 5 and 9, 2018, (Docs. 38, 40), as premature.

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On March 23, 2018, Petitioner filed two additional motions for sanctions for Respondent's failure to provide state court records. Respondent is directed to file a status report by April 4, 2018, detailing whether Respondent complied with the Court's order to provide Petitioner with the state court records that were lodged with this Court on February 27, 2018. Further, if Respondent has not provided Petitioner all records, Respondent shall describe all records that still need to be provided to Petitioner and explain why they have not been provided and when Respondent expects to send them to Petitioner.

Petitioner shall have two weeks to respond to Respondent's status report from the date of Respondent's filing of the report.

IT IS SO ORDERED.

Dated: March 27, 2018

/s/ Sheila K. Olerto
UNITED STATES MAGISTRATE JUDGE