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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH DANNY PROPHET,

Petitioner,

No. CIV S-07-2391 FCD EFB P

vs.

KEN CLARK, Warden,

Respondent.

ORDER

_____/

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. On January 28, 2009, the court directed petitioner to, within thirty days, either file an amended petition, or inform the court that he wishes to proceed on the November 2, 2007 petition. On February 9, 2009, petitioner filed a statement with the court indicating that he wishes to proceed on the November 2, 2007 petition.

Accordingly, it is ORDERED that:

1. Respondent shall file and serve either an answer or a motion in response to petitioner’s application within 60 days from the date of this order. *See* Rule 4, Fed. R. Governing § 2254 Cases. Any response shall be accompanied by any and all transcripts or other documents relevant to the determination of the issues presented in the application. *See* Rules 4, 5, Fed. R. Governing § 2254 Cases.

1 2. Petitioner's reply, if any, shall be filed and served within 30 days of service of an
2 answer.

3 3. If the response to petitioner's application is a motion, petitioner's opposition or
4 statement of non-opposition shall be filed and served within 30 days of service of the motion,
5 and respondent's reply, if any, shall be filed within 15 days thereafter.

6 Dated: April 16, 2009.

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9 EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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