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

FRANK IRVIN MOPPINS,

Petitioner,

No. 2:08-cv-0159 FCD JFM (HC)

vs.

WARDEN, SOLANO STATE PRISON,
et al.,

Respondents.

ORDER TO SHOW CAUSE

_____/

Petitioner is a state prisoner proceeding pro se with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 23, 2009, respondent filed a motion to dismiss. Petitioner has not filed an opposition to the motion. Local Rule 78-230(m) provides in part: "Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion" Good cause appearing, IT IS HEREBY ORDERED that petitioner show cause, within twenty days, why respondent's October 23, 2009 motion to dismiss should not be granted. Petitioner is cautioned that failure to respond will result in a recommendation that this action be dismissed.

DATED: November 30, 2009.


UNITED STATES MAGISTRATE JUDGE