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

MARTIN TAPIA,

Petitioner,

No. CIV S-08-1291 DAD P

vs.

LARRY SMALL, Warden,

Respondent.

ORDER

Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 15, 2010, pursuant to court order, respondent filed a motion to dismiss the petition. The motion was served on petitioner on May 17, 2010. Good cause appearing, IT IS ORDERED that:

1. Petitioner may file an opposition to respondent's May 15, 2010 motion to dismiss within thirty days; and
2. Respondent may file a reply, if any, within 10 days after service of petitioner's opposition.

DATED: June 17, 2010.



 DALE A. DROZD
 UNITED STATES MAGISTRATE JUDGE

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