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

10 AUBREY L. LOVE,

11 Petitioner,

Civ. No. S-08-2056 KJM P

12 vs.

13 D.K. SISTO, Warden, et al.,

14 Respondents.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee.

18 Since petitioner may be entitled to relief if the claimed violation of constitutional
19 rights is proved, respondents will be directed to file a response to petitioner's habeas petition.

20 In accordance with the above, IT IS HEREBY ORDERED that:

21 1. Respondents are directed to file a response to petitioner's habeas petition
22 within sixty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An
23 answer shall be accompanied by all transcripts and other documents relevant to the issues
24 presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases. Because this petition
25 challenges a denial of parole, the relevant documents should include the transcript of the
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1 November 8, 2007 parole hearing¹ and any documents, reports or letters considered by the panel;

2 2. If the response to the habeas petition is an answer, petitioner's reply, if any,
3 shall be filed and served within thirty days after service of the answer;

4 3. If the response to the habeas petition is a motion, petitioner's opposition or
5 statement of non-opposition to the motion shall be filed and served within thirty days after
6 service of the motion, and respondents' reply, if any, shall be filed and served within fifteen days
7 thereafter; and

8 4. The Clerk of the Court shall serve a copy of this order, the
9 consent/reassignment form contemplated by Appendix A(k) to the Local Rules of this court, and
10 a copy of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on Jennifer Neill,
11 Senior Assistant Attorney General.

12 DATED: January 21, 2009.

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14 U.S. MAGISTRATE JUDGE
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25 ¹ If respondent agrees that the transcript attached as an exhibit to the petition is complete and
26 correct, he need not provide a second copy to the court, but may simply note his acceptance of this
transcript in his answer.