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

STEVEN ERIC WALKER,

Petitioner,

No. CIV S-09-304 KJM P

vs.

J. HAVILAND, Warden,

Respondents.

ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis.

Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a).

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

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

2 1. Petitioner's application to proceed in forma pauperis is granted;

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

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

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

15 5. The Clerk of the Court shall serve a copy of this order together with a copy of
16 the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 and the form for consent to
17 the magistrate judge's jurisdiction on Jennifer Neill, Senior Assistant Attorney General.

18 DATED: July 21, 2009.

19 
20 U.S. MAGISTRATE JUDGE

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24 ¹ If respondent agrees that the transcript attached as an exhibit to the petition is complete and
25 correct, he need not provide a second copy to the court, but may simply note his acceptance of this
26 transcript in his answer. In addition, if the additional materials attached to the petition were part of
the record before the hearing panel, respondent need not provide duplicates but may so indicate in
his answer.