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

SALVATORE CARMELO MAGGIO,

Petitioner,

2: 09 - cv - 1606 - LKK TJB

vs.

KATHLEEN DICKINSON,

Respondent.

ORDER TO SHOW CAUSE

_____ /

Petitioner is a state prisoner proceeding through counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. In one of his claims Petitioner argues that he was unable to testify on his own behalf at trial due to his mental condition, thereby violating his Constitutional rights. Respondent answered the petition on January 21, 2010 and lodged several documents including the Clerk’s Transcript. The California Court of Appeal’s decision and the petition both cite to the reports of Dr. Warburton and Dr. Hoffman regarding Petitioner’s competency to stand trial. However, these two reports were omitted from Respondent’s lodged documents. (See Clerk’s Tr. at p. 57-74.)

On May 25, 2011, Respondent was ordered to file these two reports within seven days (by June 1, 2011). To date, Respondent has not complied nor responded to the May 25, 2011 order. Respondent must comply with the May 25, 2011 order or show cause for the failure to comply.

1 Failure to comply with this order may result in monetary sanctions.

2 Accordingly, IT IS HEREBY ORDERED that Respondent comply with the May 25, 2011
3 production order or show cause for her failure to comply by June 10, 2011.

4 DATED: June 6, 2011



TIMOTHY J BOMMER
UNITED STATES MAGISTRATE JUDGE

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