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

CROSSAN HOOVER, JR.,

Petitioner,

No. CIV S-09-1917 DAD P

vs.

J.W. HAVILAND,

Respondent.

ORDER

_____ /

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

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

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

1. Respondent is directed to file a response to petitioner’s habeas petition within sixty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

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

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

5 4. The Clerk of the Court shall serve a copy of this order, a copy of the petition
6 for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1), and the court's form
7 regarding consent or request for reassignment on Michael Patrick Farrell, Senior Assistant
8 Attorney General.

9 DATED: March 31, 2010.

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12 _____
13 DALE A. DROZD
14 UNITED STATES MAGISTRATE JUDGE

13 DAD:4
14 hoo1917.100