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

MICHAEL RAY CHAVEZ,

Petitioner,

No. CIV S-09-2048 GGH P

vs.

JOHN HAVILAND, et al.,

Respondents.

ORDER

\_\_\_\_\_ /

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus. On August 10, 2009, the court issued an order finding that not all of the claims raised in the petition were exhausted. The court ordered petitioner to file further briefing addressing how he intended to proceed. On September 8, 2009, petitioner filed briefing stating that all claims are exhausted. Petitioner states that he inadvertently failed to include evidence of exhaustion in his petition.

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.

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

1. Respondents are 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

