UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON WILBERT JOHNSON,

Petitioner,

v.

FRANCISCO JACQUEZ,

Respondent.

No. 2:09-cv-2108-JAM-EFB P

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 13, 2010, the undersigned recommended that petitioner's motion to stay the case pending the exhaustion of his unexhausted claims be granted; that petitioner be directed to file a state habeas petition containing his unexhausted claims within 30 days, and that petitioner be directed to inform the court within 30 days after his claims were exhausted in state court. ECF No. 22. On March 2, 2011, the district judge adopted the undersigned's findings and recommendations in full, granted petitioner's motion to stay, and ordered petitioner to file a state habeas petition containing his unexhausted claims within 30 days. ECF No. 27. Petitioner was also ordered to inform the court within 30 days after his claims had been exhausted in state court.

On May 22, 2013, petitioner filed with this court a petition for writ of habeas corpus. ECF No. 38. The petition, however, was addressed to the Supreme Court of California. The

proof of service attached to the petition was addressed to the "Supreme Court," but contained the address for the United States District Court in Sacramento. It was not clear whether petitioner intended the May 22, 2013 filing to act as notice to this court that he has exhausted his state remedies, or whether he inadvertently mailed his state habeas petition to this court. Therefore, on June 20, 2013, petitioner was ordered to inform this court no later than July 12, 2013, of the status of his state court habeas proceedings. As of the date of this order, petitioner has failed to comply with the court's June 20, 2013 order.

Accordingly, it is hereby ORDERED that, within 21 days of the date of this order, petitioner shall comply with the court's June 20, 2013 order. Failure to comply with this order will result in a recommendation that this action be dismissed.

So ordered.

Dated: July 25, 2013.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE