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

ALVIN SPADE,

No. CIV S-09-2124-CMK-P

Petitioner,

vs.

ORDER

JOHN W. HAVILAND,

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner’s petition for a writ of habeas corpus (Doc. 1).

The court has examined the petition as required by Rule 4 of the Federal Rules Governing Section 2254 Cases. It does not plainly appear from the petition and any attached exhibits that petitioner is not entitled to relief. See id. Respondent(s), therefore, will be directed to file a response to petitioner’s petition. See id. If an answer to the petition is filed, such answer must comply with Rule 5 of the Federal Rules Governing Section 2254 Cases. Specifically, an answer shall be accompanied by any and all transcripts or other documents relevant to the determination of the issue(s) presented in the petition. See id.

