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

SHAKA SENEGAL MUHAMMAD,

Plaintiff,

No. 2:09-cv-2503 LKK KJN P

vs.

WARDEN D.K. SISTO, et al.,

Respondents.

ORDER TO SHOW CAUSE

_____ /

Petitioner is a state prisoner proceeding without counsel with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 20, 2010, respondents filed a motion to dismiss this action on the ground that petitioner failed to state a cognizable habeas corpus claim, and for failure to exhaust state judicial remedies. Petitioner has not filed an opposition to the motion. Local Rule 230(*l*) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion”

Good cause appearing, IT IS HEREBY ORDERED that petitioner show cause, within twenty-one days, first, why his failure to oppose respondents’ December 20, 2010 motion to dismiss should not be deemed a waiver of any opposition to the granting of the motion, and second, file an opposition to the motion to dismiss. Petitioner is cautioned that failure to respond

1 to the instant order, or to file an opposition to the pending motion to dismiss, will result in a
2 recommendation that this action be dismissed.

3 DATED: February 15, 2011

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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