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

EARL HENRY DOWN,

Petitioner,

No. CIV S-09-2794 MCE EFB P

vs.

J. HAVILAND, Warden, et al.,

Respondents.

ORDER

_____ /

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 27, 2010, respondent moved to dismiss the petition. Dckt. No. 11. The undersigned issued findings and recommendations recommending respondent’s motion to dismiss be granted in part and denied in part. Dckt. No. 16. The district judge adopted the findings and recommendation in full. Dckt. No. 19. As the petition was not dismissed in its entirety, petitioner currently has claims pending before the court.

Accordingly, it is hereby ordered that:

1. Respondent shall file and serve an answer to petitioner’s application within 60 days from the date of this order. See Rule 5, Fed. R. Governing § 2254 Cases. The answer shall be accompanied by any and all transcripts or other documents relevant to the determination of the issues presented in the application. See *id.*

1 2. Petitioner's reply, if any, shall be filed and served within 30 days of service of an
2 answer.

3 Dated: April 26, 2012.

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5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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