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

DANIEL LUCAS,

Petitioner,

No. CIV S-10-0136 DAD P

vs.

S.M. SALINAS, Warden,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner is a state prisoner proceeding pro se. In accordance with the court's January 29, 2010 order, petitioner has filed a signed, amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Since petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondent will be directed to file a response to petitioner's habeas petition.

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

1. Respondent is directed to file a response to petitioner's February 4, 2010 amended petition within sixty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

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1           2. If the response to the habeas petition is an answer, petitioner's reply, if any,  
2 shall be filed and served within thirty days after service of the answer;

3           3. If the response to the habeas petition is a motion, petitioner's opposition or  
4 statement of non-opposition to the motion shall be filed and served within thirty days after  
5 service of the motion, and respondent's reply, if any, shall be filed and served within fifteen days  
6 thereafter; and

7           4. The Clerk of the Court shall serve a copy of this order, a copy of the February  
8 4, 2010 amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, and a copy of  
9 the form regarding consent or request for reassignment on Michael Patrick Farrell, Senior  
10 Assistant Attorney General.

11 DATED: February 12, 2010.

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15 DALE A. DROZD  
16 UNITED STATES MAGISTRATE JUDGE

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