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

10 DONALD JOSEPH BERRY,

11 Petitioner,

No. 2:10-cv-0305 JFM (HC)

12 vs.

13 FRANCISCO JACQUEZ,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of
17 habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee.

18 Since petitioner may be entitled to the requested relief if the claimed violation of
19 constitutional rights is proved, respondent will be directed to file a response to petitioner's
20 application.

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

22 1. Respondent is directed to file an answer within forty-five days from the date of
23 this order. See Rule 4, Rules Governing Section 2254 Cases. Respondents shall include with
24 the answer any and all transcripts or other documents relevant to the determination of the issues
25 presented in the application. Rule 5, Rules Governing Section 2254 Cases;

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1 2. Petitioner's traverse, if any, is due on or before thirty days from the date
2 respondent's answer is filed;

3 3. The Clerk of the Court shall serve a copy of this order together with a copy of
4 petitioner's application for writ of habeas corpus and an Order Re Consent or Request for
5 Reassignment on Michael Patrick Farrell, Senior Assistant Attorney General.

6 DATED: March 29, 2010.

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9 UNITED STATES MAGISTRATE JUDGE

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