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

TYSON JOIEL SUGGS,

Petitioner,

No. CIV S-10-0765 JAM DAD P

vs.

JIM MARSHALL, Warden,

Respondent.

ORDER

On July 13, 2010, respondent filed a motion to dismiss in this case, arguing that petitioner's application for a writ of habeas corpus is time-barred and the court lacks jurisdiction over the action. Petitioner has not opposed the motion.

Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the date of this order, petitioner shall file his opposition to respondent's July 13, 2010 motion to dismiss. Failure to file an opposition may result in a recommendation that this case be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

DATED: August 25, 2010.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:sj
sugg0765.146