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

ROGER SCHNEIDER,

Petitioner,

No. 2:10-cv-1869 GEB KJN P

vs.

GARY SWARTHOUT, Warden,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner proceeding without counsel and in forma pauperis.

This habeas corpus action was filed June 9, 2008, pursuant to 28 U.S.C. § 2254, which challenges a 2005 decision of the Board of Parole Hearings denying petitioner parole.¹ Presently pending is respondent’s motion to dismiss, filed December 8, 2010, on the ground that the petition was untimely filed beyond the one-year statute of limitations set forth in the Antiterrorism and Effective Death Penalty Act. Petitioner has twice sought and obtained extensions of time within which to file an opposition to the motion to dismiss. (Dkt. Nos. 20, 22.) The last extension of time, to May 6, 2011, has passed, and petitioner has not filed an opposition or otherwise communicated with the court.

¹ This action is referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B), Local General Order No. 262, and Local Rule 302.

