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

DEANGELEO ANTOINE HUGHES,

Petitioner,

2: 10 - cv - 3024 WBS TJB

vs.

JAMES WALKER,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner who is now proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 3, 2011, Petitioner’s motion to stay and abey was entered by the Clerk’s Office. Local Rule 230(l) sets forth the requisite procedure for motion practice in prisoner actions in which the prisoner is proceeding *pro se*. Specifically, Local Rule 230(l) states that:

Opposition, if any, to the granting of the motion shall be served and filed by the responding party not more than twenty-one (21), days after the date of service of the motion. A responding party who has no opposition to the granting of the motion shall serve and file a statement to that effect, specifically designating the motion in question. *Failure of the responding party to file an opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion and may result in the imposition of sanctions.*

E.D. Cal. R. 230(l) (emphasis added). To date, Respondent has neither filed a response to

1 Petitioner's motion to stay nor filed a statement of non-opposition.

2 Accordingly, IT IS HEREBY ORDERED that Respondent shall file either: (1) a
3 response to Petitioner's motion to stay; or (2) a statement of non-opposition to the motion to stay,
4 on or before November 4, 2011. Failure to comply with this Order may result in the imposition
5 of sanctions.

6 DATED: October 26, 2011

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TIMOTHY J BOMMER
UNITED STATES MAGISTRATE JUDGE

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