

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

JEREMY DIONNE,

Petitioner,

No. CIV S-10-3362 DAD P

vs.

PEOPLE OF THE  
STATE OF CALIFORNIA,

Respondent.

ORDER

\_\_\_\_\_/

Petitioner is a state prisoner proceeding pro se. In accordance with the court’s December 22, 2010 order, petitioner has filed an amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, naming the proper respondent. However, after conducting a cursory review of petitioner’s amended petition, the court has determined that it must dismiss the petition because it is incomplete. Specifically, on the form petition, petitioner instructs the court to “see attached” for his grounds for relief. However, petitioner has not included any attachments with his petition. In the interest of justice, the court will grant petitioner thirty days leave to file a second amended petition.

/////  
/////  
/////

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

2 1. Petitioner's December 29, 2010 amended petition for writ of habeas corpus is  
3 dismissed with leave to file a second amended petition within thirty days from the date of this  
4 order;

5 2. Any second amended petition must be filed on the form employed by this  
6 court, must name the proper respondent, and must state all claims and prayers for relief on the  
7 form. It must bear the case number assigned to this action and must bear the title "Second  
8 Amended Petition"; and

9 3. The Clerk of the Court is directed to send petitioner the form for habeas corpus  
10 application.

11 DATED: January 12, 2011.

12  
13   
14 \_\_\_\_\_  
15 DALE A. DROZD  
16 UNITED STATES MAGISTRATE JUDGE

14 DAD:9  
15 dion3362.amp