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

JAVIER BALBUENA,

Petitioner,

No. 2: 11-cv-0759 JAM KJN P

vs.

M.D. McDONALD, et al.,

Respondents.

ORDER

_____ /

Petitioner, a state prisoner proceeding without counsel, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is the amended petition filed May 4, 2011.

Because petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondents will be directed to file a response to petitioner’s habeas petition.

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

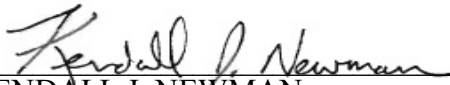
1. Respondents are directed to file a response to petitioner’s amended habeas petition within sixty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, Fed. R. Governing § 2254 Cases;

1 2. If the response to the habeas petition is an answer, petitioner's reply, if any,
2 shall be filed and served within twenty-eight days after service of the answer;

3 3. If the response to the habeas petition is a motion, petitioner's opposition or
4 statement of non-opposition to the motion shall be filed and served within twenty-eight days after
5 service of the motion, and respondents' reply, if any, shall be filed and served within fourteen
6 days thereafter; and

7 4. The Clerk of the Court shall serve a copy of this order, the consent/
8 reassignment form contemplated by Appendix A(k) to the Local Rules of this court, and a copy
9 of the *amended* petition for writ of habeas corpus (Dkt. No. 8) pursuant to 28 U.S.C. § 2254 on
10 Michael Patrick Farrell, Senior Assistant Attorney General.

11 DATED: June 14, 2011

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14 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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