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

JAY D. CARTER,

Petitioner,

No. 2:11-cv-1038 KJN P

vs.

MICHAEL BABCOCK, Warden,

Respondent.

ORDER TO SHOW CAUSE

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Petitioner is a state prisoner proceeding without counsel, with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 18, 2011, respondent filed a motion to dismiss. Petitioner has not filed an opposition to the motion. Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion . . . .”

Good cause appearing, IT IS HEREBY ORDERED that petitioner show cause, within thirty days, why his failure to oppose respondent’s July 18, 2011 motion to dismiss should not be deemed a waiver of any opposition to the granting of the motion, or he shall file an opposition. Petitioner is cautioned that failure to respond to the instant order, or to file an

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1 opposition to the pending motion to dismiss, will result in a recommendation that this action be  
2 dismissed.

3 DATED: August 23, 2011

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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