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

TERRY LEE STONE,

Petitioner,

No. 2:11-cv-1605 KJN P

vs.

WARDEN KNIPP,

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 August 23, 2011, respondent filed a motion to dismiss this action as barred by the statute of limitations. 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 twenty-one days, why his failure to oppose respondent’s August 23, 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

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

3 DATED: September 23, 2011

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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