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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTONIO R. WILLIAMS,
Petitioner,
v.
WARDEN, CALIFORNIA STATE
PRISON, LOS ANGELES COUNTY,
Respondent.

No. 2:12-cv-1588 LKK CKD P

ORDER

Petitioner is a state prisoner proceeding pro se and in forma pauperis with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent’s motion to dismiss the petition for untimeliness has been briefed and is pending. Petitioner recently filed three motions: a motion to stay this action to exhaust unexhausted claims (ECF No. 31), a motion “seeking relief from judgment of conviction” (ECF No. 35), and a motion for extension of time to obtain transcripts from a preliminary hearing (ECF No. 36). As explained below, all of the motions are frivolous and will be denied.

Petitioner’s previous motion to stay this action pursuant to Rhines v. Weber, 544 U.S. 269 (2005), was denied, as petitioner failed to show good cause for not exhausting certain claims or that such claims were potentially meritorious. (ECF No. 21.) Nothing in petitioner’s most recent motion to stay compels a different conclusion; indeed, petitioner does not even address the Rhines factors.

1 Petitioner's motion challenging his conviction is inapposite, as that is the subject of the
2 petition in this action.

3 Finally, petitioner seeks an extension of time to obtain court transcripts. This is
4 unnecessary. If and when respondent files an answer to the petition, it "shall be accompanied by
5 all transcripts and other documents relevant to the issues presented in the petition." ECF No. 24
6 at 2.

7 Petitioner's filing of frivolous motions is a burden on this court and impedes the proper
8 prosecution of this action. Thus petitioner's future filings shall therefore be limited as set forth
9 below.

10 Accordingly, IT IS HEREBY ORDERED:

- 11 1. Plaintiff's motion to stay (ECF No. 31) is denied;
- 12 2. Plaintiff's motion for release from judgment of conviction (ECF No. 35) is denied;
- 13 3. Plaintiff's motion for extension of time to obtain transcripts (ECF No. 36) is denied;
- 14 4. Petitioner may only file the following documents:
 - 15 a. One opposition to any motion filed by respondent (and clearly titled as such);
 - 16 b. Only one motion pending at any time. Petitioner is limited to one memorandum
17 of points and authorities in support of the motion and one reply to any opposition;
 - 18 c. One set of objections to any future findings and recommendations;
 - 19 d. One reply to any future answer filed by respondent.

20 Failure to comply with this order shall result in improperly filed documents being
21 stricken from the record.

22 Dated: September 17, 2013

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24 _____
25 CAROLYN K. DELANEY
26 UNITED STATES MAGISTRATE JUDGE

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