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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DION DARYL WHEELWRIGHT,
Petitioner,
v.
C. WOFFORD,
Respondent.

No. 2:13-cv-0787 GGH P

ORDER

On September 13, 2013, respondent filed and served its motion to dismiss. When petitioner did not file an opposition, this court issued an order to show cause why the motion to dismiss should not be granted. Petitioner did not respond to the order to show cause; however, respondent filed a notice on February 21, 2014, informing the court that petitioner had sent two oppositions to their office address¹ both in December, 2013 and February, 2014. Respondent did not realize until recently that the December filing was intended to be an opposition for filing with the court. Respondent has attached the oppositions which are identical in nature, other than the exhibits attached, which are for the most part different. (ECF. No. 22, attachments.) For this reason, neither of the unfiled oppositions submitted by respondent will be considered. Instead, petitioner shall file and serve one opposition containing his desired exhibits.

¹ According to respondent, the oppositions were addressed to “The U.S. Eastern District Court of California – Sacramento Attorney General 1300 I Street 1st Floor Sacramento CA 95814.” (ECF No. 22 at 2.)

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Accordingly, IT IS ORDERED that:

1. Within twenty-one (21) days of this order, petitioner shall file with the court one opposition which contains all of the exhibits he wishes to include. This opposition should be addressed to the United States District Court, 501 I Street, Suite 4-200, Sacramento, CA 95814.

2. Within twenty-one (21) days of this order, petitioner shall serve respondent with the same opposition and exhibits filed with the court at the following address: Office of the Attorney General, 1300 I Street, P.O. Box 944255, Sacramento, CA 95814.

Dated: March 3, 2014

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

Dated:

GGH:076/Whee0787.re-srv