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

RALPH E. DUMONT,
Petitioner,

No. 2:13-CV-2541-CMK-P

vs.

ORDER

JEROME PRICE, et al.,
Respondents.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On July 24, 2015, the court issued an order directing petitioner to show cause why this action should not be dismissed for failure to comply with prior court orders and court rules.

In that order, the court outlined the following procedural history:

Petitioner commenced this action with a petition (Doc. 1) followed by numerous separately filed supplements and exhibits (see Docs. 7, 13, 17, 18, 20, and 21). On February 24, 2014, the court dismissed petitioner’s petition and directed petitioner to file an amended petition within 30 days naming the correct respondent. Petitioner was cautioned that his amended petition must state all claims and requests for relief. Petitioner was also warned that failure to file an amended petition may result in dismissal of this action for lack of prosecution and failure to comply with court rules and orders. See Local Rule 110.

1 Petitioner then filed a first amended petition (Doc. 23)
2 followed again by separately filed supplements (see Docs. 25, 26, 28, and
3 30). On July 25, 2014, the court dismissed the first amended petition and
4 struck from the docket the various supplements. Petitioner was once again
5 directed to file an amended petition naming the proper respondent as well
6 as stating all claims and providing all supporting documents and exhibits
7 in a single pleading. As with the court's previous order, petitioner was
8 also again cautioned that failure to comply could result in dismissal of the
9 action. See Local Rule 110.

6 Petitioner filed his next amended petition on August 22,
7 2014 (Doc. 34). As before, petitioner followed this filing with separately
8 filed supplements (see Docs. 36 and 37). Once again, by order issued on
9 October 30, 2014, the court dismissed the amended petition, struck the
10 various supplements, and directed petitioner to file an amended petitioner
11 containing all claims and supporting evidence in a single pleading. Again,
12 petitioner was warned that failure to comply could result in dismissal of
13 the action under the court's local rules. Petitioner thereafter sought and
14 was granted two extensions of time.

11 Petitioner filed his most recent amended petition, this time
12 naming the correct respondent, on February 6, 2015 (Doc. 42). Three
13 weeks later petitioner filed supporting exhibits (Doc. 44). . . .

12 In his response to the order to show cause, petitioner states that Docs. 42 and 44 were filed
13 separately due to a clerical error and confusion caused by ongoing mental problems as well as the
14 death of petitioner's father in February 2015.

15 Good cause appearing therefor, the order to show cause will be discharged and
16 petitioner will be granted one final opportunity to comply with the court's prior orders to file in a
17 single pleading a petition outlining all his claims and attaching all his exhibits. Petitioner is once
18 again warned that failure to comply may result in dismissal of the action. See Local Rule 110.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The July 24, 2015, order to show cause is discharged;
- 3 2. Petitioner's amended petition (Doc. 42) is dismissed with leave to amend;
- 4 3. Petitioner's supporting exhibits (Doc. 44) are disregarded; and
- 5 4. Petitioner shall file a single amended petition containing all claims and

6 exhibits within 30 days of the date of this order.

7
8 DATED: August 11, 2015

9 
10 **CRAIG M. KELLISON**
11 UNITED STATES MAGISTRATE JUDGE