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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN T. CARIDAD,
Petitioner,
v.
HARRY OREOL,
Respondent.

No. 2:14-cv-1847 KJM AC P

ORDER

Petitioner Caridad is represented by appointed counsel in this action filed pursuant to 28 U.S.C. § 2254. On October 19, 2017, counsel for respondent Oreol filed a motion to dismiss this action but did not set the matter for hearing. See ECF No. 85. Petitioner has not responded to the motion.

Because petitioner is represented by counsel, the parties shall adhere to the requirements of Local Rule 230(b)-(i), concerning the deadlines for filing, briefing, serving and noticing for hearing all motions.¹

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¹ Local Rule 230(1), which provides, inter alia, that motions in cases filed by prisoners proceeding pro se shall be decided on the papers without oral argument, shall not apply.

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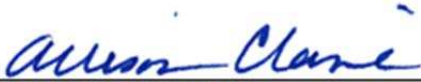
Accordingly, IT IS HEREBY ORDERED that:

1. Respondent shall, within ten (10) days after the filing date of this order, re-file and re-serve the motion to dismiss in conformance with Local Rule 230(b)-(i), including setting the matter for hearing before the undersigned in accordance with Local Rule 230(b).

2. Petitioner's response to the motion, and respondent's reply, shall also conform with the requirements of Local Rule 230(b)-(i).

IT IS SO ORDERED.

DATED: November 15, 2017.



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE