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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHAWN CHRISTOPHER SHEPHERD,

Petitioner,

v.

M.E. SPEARMAN,

Respondent.

No. 2:15-cv-1618 TLN AC P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent has filed a motion to dismiss (ECF No. 14) that is currently pending before the court.

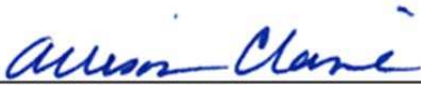
On July 1, 2016, respondent filed notice that he lodged documents with the Clerk of the Court pursuant to Rule 5 of the Rules Governing Section 2254 Cases. ECF No. 15. However, the court has no record that the documents described in the notice were actually received. The court cannot proceed with respondent’s motion to dismiss until the documents described in the notice (ECF No. 15) are properly submitted to the court.

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Accordingly, IT IS HEREBY ORDERED that within ten days of the filing of this order, respondent shall lodge copies of the documents described in the Notice of Lodging (ECF No. 15).

DATED: February 21, 2017

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE