



1 Here, the petition does not meet the pleading requirements of Rule 2(c) and Rule 4. The  
2 court will dismiss the petition on this basis; however, petitioner will be granted thirty days to file  
3 an amended petition that complies with these rules. To clarify what claims he seeks to bring  
4 under § 2254, petitioner may attach his state court briefs and/or state court decisions on those  
5 claims.

6 In addition, it is not clear whether petitioner has exhausted his federal claims in the  
7 California Supreme Court. The exhaustion of state court remedies is a prerequisite to the granting  
8 of a petition for writ of habeas corpus. 28 U.S.C. § 2254(b)(1). A petitioner satisfies the  
9 exhaustion requirement by providing the highest state court with a full and fair opportunity to  
10 consider all claims before presenting them to the federal court. Picard v. Connor, 404 U.S. 270,  
11 276 (1971); Middleton v. Cupp, 768 F.2d 1083, 1086 (9th Cir. 1985), cert. denied, 478 U.S. 1021  
12 (1986). While petitioner has checked the box on the court's § 2254 form indicating that he has  
13 appealed to the state supreme court, he does not specify the claims brought, the date of decision,  
14 or any other information about the state supreme court proceeding. (ECF No. 1 at 2-3.) In any  
15 amended petition, petitioner should include this information.

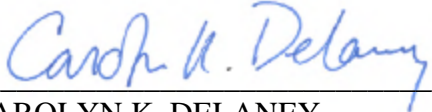
16 In accordance with the above, IT IS HEREBY ORDERED that:

17 1. Petitioner's application for writ of habeas corpus is dismissed with leave to amend  
18 within thirty days from the date of this order;<sup>1</sup>

19 2. Any amended petition must bear the case number assigned to this action and the title  
20 "Amended Petition"; and

21 3. The Clerk of the Court is directed to send petitioner the court's form for application for  
22 writ of habeas corpus.

23 Dated: December 11, 2015

24   
25 CAROLYN K. DELANEY  
26 UNITED STATES MAGISTRATE JUDGE

27 2 / kimb2488.R2(c)

28 <sup>1</sup> By setting this deadline, the court is making no finding or representation that the petition is not subject to dismissal as untimely.