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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BURTON DAY,
Petitioner,
v.
DOLLY MATTEUCCI,
Respondent.

No. 2: 15-cv-2560 JAM KJN P

ORDER

Petitioner is proceeding without counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 28, 2015, the court ordered respondent, represented by Senior Assistant Attorney General Michael Patrick Farrell, to file a response to the petition. Sixty days passed and respondent did not file a response. Accordingly, on March 15, 2016, the court ordered respondent to show cause why sanctions should not be imposed for failing to respond to the December 28, 2015 order.

On March 25, 2016, the Department of State Hospitals (“DSH”), represented by Supervising Deputy Attorney General Ismael A. Castro, filed a response to the show cause order. (ECF No. 12.) According to Mr. Castro, it has been determined that neither the Criminal Division, the Correctional Writs Section nor the Health, Education and Welfare Section of the Attorney General’s Office represent DSH in matters involving duration or release from confinement petitions filed by defendants. Mr. Castro states that all concerned parties agree that

1 the Yolo County District Attorney's Office is the appropriate responding party. DSH states that
2 the Yolo County District Attorney's Office was unaware of petitioner's writ until the deadline to
3 respond had expired. DSH requests an extension of time to properly respond.

4 Good cause appearing, IT IS HEREBY ORDERED that:


5 1. The order to show cause is discharged;

6 2. The Clerk of the Court is directed to remove Attorney General
7 Ismael Castro from the service list;

8 3. The Clerk of the Court is directed to amend court records to reflect that respondent is
9 represented by the Yolo County District Attorney General's Office; and that orders issued in this
10 action be served on Jonathan Raven, Chief Deputy Assistant Attorney, Yolo County District
11 Attorney's Office, 301 Second Street, Woodland, California, 95695; *and* on Sean Rashkis,
12 Assistant Chief Counsel, Legal Services Division, Department of State Hospitals, 1600 9th Street,
13 Sacramento, California, 95814;

14 4. Respondent is granted thirty days from the date of this order to file a response to the
15 petition.

16 Dated: April 1, 2016

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18 _____
19 KENDALL J. NEWMAN
20 UNITED STATES MAGISTRATE JUDGE
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23 Day2560.ord
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