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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NOAH H. O. BATTLE,
Petitioner,
v.
JOEL MARTINEZ,
Respondent.

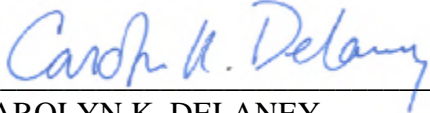
No. 2:16-cv-0411 TLN CKD P

ORDER

Petitioner is a state prisoner proceeding pro se with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On July 29, 2016, respondent filed a motion to dismiss the petition as time-barred. Petitioner has not filed an opposition or otherwise responded to the motion.

Good cause appearing, IT IS HEREBY ORDERED that petitioner file an opposition or statement of non-opposition to respondent's motion to dismiss no later than thirty (30) days from the date of this order. Failure to comply with this order will result in a recommendation that this action be dismissed under Rule 41(b) of the Federal Rules of Civil Procedure.

Dated: September 7, 2016


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE