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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES FLOYD,
Petitioner,
v.
ROBERT W. FOX, Warden,
Respondent.

No. 2:16-cv-1778 KJN P

ORDER TO SHOW CAUSE

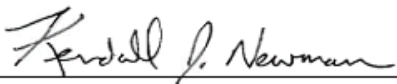
Petitioner is a state prisoner, proceeding pro se, with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Both parties consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On December 30, 2016, respondent filed a motion to dismiss. Petitioner has not filed an opposition to the motion. Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” Id.

Good cause appearing, IT IS HEREBY ORDERED that petitioner show cause, within thirty days, why his failure to oppose respondent’s motion to dismiss (ECF No. 14) should not be deemed a waiver of any opposition to the granting of the motion, and he shall file an opposition. Petitioner is cautioned that failure to respond to the instant order, and to file an opposition to the

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1 pending motion to dismiss, will result in an order granting the motion, and dismissing the
2 unexhausted claims.

3 Dated: February 10, 2017

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KENDALL J. NEWMAN
6 UNITED STATES MAGISTRATE JUDGE

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