

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOWARD FORBES,  
Petitioner,  
v.  
DANIEL PARAMO,  
Respondent.

No. 2:16-cv-1884 MCE GGH P

ORDER TO SHOW CAUSE

Petitioner is a state prisoner proceeding in this case pro se. On August 16, 2016, the undersigned issued an Order and Findings and Recommendations recommending, in pertinent part, that the action be stayed pending the exhaustion of state court remedies. ECF No. 6. The presiding District Judge adopted the Findings and Recommendations and granted a stay of this proceeding on January 5, 2017. ECF No. 12. On August 7, 2017, the undersigned issued an order requiring petitioner to file a statement notifying the court whether he had a matter pending before the California Supreme Court or that the Supreme Court had considered a habeas petition and ruled on it within 30 days. ECF No. 13. On August 23, 2017 and September 7, 2017, petitioner provided the court with case statuses on his state court exhaustion proceedings. ECF Nos. 14, 15. In petitioner’s September 7, 2017 “status update,” petitioner had indicated to the court that his petition was in the Solano County Superior Court and was pending a resolution.

///

1 ECF No. 15. However, to date, petitioner has not updated the court on the status of his  
2 exhaustion efforts.

3 Good cause appearing, IT IS HEREBY ORDERED that petitioner shall, within 30 days  
4 from the date of this order, file a statement notifying the court whether he has a matter pending  
5 before the California Supreme Court or whether the Supreme Court has considered a habeas  
6 petition and ruled on it. Petitioner is warned that failure to comply with this order will result in a  
7 recommendation that this action be dismissed without prejudice.

8 IT IS SO ORDERED.

9 Dated: January 24, 2019

10 /s/ Gregory G. Hollows  
11 UNITED STATES MAGISTRATE JUDGE  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28