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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL ALVAREZ HERNANDEZ,
Petitioner,
v.
STU SHERMAN, Warden
Respondent.

No. 2:16-cv-02472 MCE GGH (HC)

ORDER TO SHOW CAUSE

Petitioner is a state prisoner proceeding pro se with a habeas petition pursuant to 28 U.S.C. Section 2254. On January 27, 2017, respondent filed a motion to dismiss the petition. ECF No. 16. Petitioner has neither filed an opposition to the motion nor sought an extension of time to do so. Local Rule 230(l) provides in part that opposition to the granting of a motion “shall be served and filed by the responding not more than twenty-one (21) days after the date of service of the motion. Thus petitioner’s opposition to respondent’s motion was due on February 20, 2017. Local Rule 230(l) further states that “[f]ailure 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. . . .”

In light of the foregoing and good cause appearing, IT IS HEREBY ORDERED that:

Petitioner shall show cause, within thirty (30) days of this Order, why his failure to oppose respondent’s December 12, 2016 motion to dismiss should not be deemed a waiver of any

1 opposition to the granting of the motion or he shall file an opposition. Petitioner is cautioned that
2 failure to respond to the instant order, or to file an opposition to the pending motion to dismiss,
3 will result in a recommendation that this action be dismissed.

4 Dated: March 6, 2017

5 /s/ Gregory G. Hollows
6 UNITED STATES MAGISTRATE JUDGE

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