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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALEXANDER AVILA,
Petitioner,
v.
D. BORDERS,
Respondent.

No. 2:16-cv-2903 KJN P

ORDER TO SHOW CAUSE

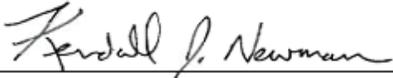
Petitioner is a state prisoner, proceeding pro se, with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 23, 2017, respondent filed a motion to dismiss the petition for failure to exhaust state court remedies. Petitioner has not filed an opposition to the motion. Local 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 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, or to file an opposition to the pending

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1 motion to dismiss, will result in a recommendation that the unexhausted claims be dismissed and
2 petitioner be required to file a petition raising only the one exhausted subclaim.

3 Dated: March 22, 2017

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5 KENDALL J. NEWMAN
6 UNITED STATES MAGISTRATE JUDGE

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