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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA WALTON,
Petitioner,
v.
S. KERNAN,
Respondent.

No. 2:17-cv-0133 KJN P

ORDER TO SHOW CAUSE

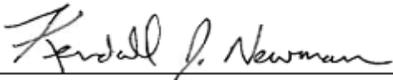
Petitioner is a state prisoner, proceeding pro se, with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Both parties consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On August 23, 2017, respondent filed a motion to dismiss this action as barred by the statute of limitations. Petitioner has not filed an opposition to the motion or a statement of non-opposition. 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 August 23, 2017 motion to dismiss should not be deemed a waiver of any opposition to the granting of the motion, and he shall file an

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1 opposition. Petitioner is cautioned that failure to respond to the instant order, and to file an
2 opposition to the pending motion to dismiss, will result in the dismissal of this action.

3 Dated: October 10, 2017

4 
5 KENDALL J. NEWMAN
6 UNITED STATES MAGISTRATE JUDGE

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