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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MILORAD OLIC,
Petitioner,
v.
JOE A. LIZARRAGA, Warden,
Respondent.

No. 2:17-cv-0156 MCE AC P

ORDER

Petitioner is a state prisoner proceeding pro se and in forma pauperis with this habeas corpus action filed pursuant to 28 U.S.C. § 2254. See ECF No. 1. Petitioner challenges his November 7, 2014 disciplinary conviction. Currently pending before the court is respondent’s motion to dismiss this action on the ground that it was commenced beyond the one-year statute of limitations set forth in 28 U.S.C. § 2244(d). See ECF No. 15. Petitioner timely filed an opposition to the motion, in which he asserts entitlement to both statutory and equitable tolling. See ECF No. 16. Respondent’s reply does not address the merits of petitioner’s arguments in support of equitable tolling. See ECF No. 17 at 3. Therefore, respondent will be directed to submit further briefing on this matter.

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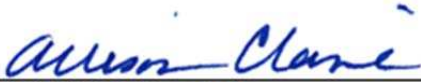
Accordingly, IT IS HEREBY ORDERED that:

1. Within fourteen days after the filing date of this order, respondent shall file and serve a supplemental brief that addresses the merits of petitioner’s equitable tolling arguments. See ECF No. 16 at 2-8 (particularly Ex. A).

2. Within fourteen days after service of respondent’s supplemental brief, petitioner may file and serve a response.

IT IS SO ORDERED.

DATED: November 17, 2017.



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE