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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN SERRATOS, III,
Petitioner,
v.
PEOPLE OF THE STATE OF
CALIFORNIA,
Respondent.

No. 2:18-cv-0077 MCE KJN P

ORDER

Petitioner is a state prisoner, proceeding pro se and in forma pauperis, with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 7, 2018, petitioner filed a request for clarification. Petitioner states that in its answer, respondent did not “specify why again there is a new designation counsel,” or address the prior motion to withdraw and motion to dismiss action, directing respondent’s attention to the court’s August 21, 2018 order. Petitioner also requests respondent ensure certain state court records were lodged with the court.

Initially, petitioner is advised that respondent is not required to provide a reason why different counsel has been designated or assigned to this case. Second, as indicated in the court’s August 21, 2018 order, respondent withdrew its motion to dismiss. Because the motion to withdraw such motion was granted, respondent is not required to further address either motion. Within fourteen days from the date of this order, respondent shall inform petitioner whether the notice of lodging included the documents referenced in petitioner’s request.

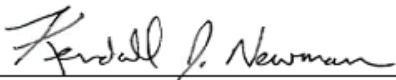
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In an abundance of caution, petitioner is granted a thirty-day extension of time in which to file his traverse.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s request (ECF No. 34) is partially granted;
2. Within fourteen days, respondent shall inform petitioner whether the notice of lodging included the documents referenced in petitioner’s request for clarification (id.); and
3. Petitioner is granted thirty days from the date of this order in which to file a traverse.

Dated: December 18, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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