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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CECIL JEROME HATCHETT,
Petitioner,
v.
SOTO,
Respondent.

No. 2:18-cv-1773 DB P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis.

Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a).

Since petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondent will be directed to file a response to petitioner’s habeas petition.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Petitioner’s motion to proceed in forma pauperis (ECF No. 7) is granted;
2. Respondent is directed to file a response to petitioner’s habeas petition within sixty days from the date of this order. See Rule 4, 28 U.S.C. foll. § 2254. An answer shall be

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1 accompanied by all transcripts and other documents relevant to the issues presented in the
2 petition. See Rule 5, 28 U.S.C. foll. § 2254;

3 3. If the response to the habeas petition is an answer, petitioner's reply, if any, shall be
4 filed and served within thirty days after service of the answer;

5 4. If the response to the habeas petition is a motion, petitioner's opposition or statement
6 of non-opposition to the motion shall be filed and served within thirty days after service of the
7 motion, and respondent's reply, if any, shall be filed and served within fourteen days thereafter;
8 and

9 5. The Clerk of the Court shall serve a copy of this order, the form Consent to Proceed
10 Before a United States Magistrate Judge, and a copy of the petition for writ of habeas corpus
11 pursuant to 28 U.S.C. § 2254 on Tami Krenzin, Supervising Deputy Attorney General.

12 Dated: November 30, 2018

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14 
15 DEBORAH BARNES
16 UNITED STATES MAGISTRATE JUDGE
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