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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD G. STINSON,

Petitioner,

v.

D.K. SISTO, Warden,

Respondent.

No. C 06-3585 MMC (PR)

**ORDER DIRECTING CLERK OF
COURT TO SERVE RESPONDENT
WITH ORDER TO SHOW CAUSE
AND PETITIONER'S RESPONSE
THERE TO (DOCKET NOS. 43 & 44);
SCHEDULING REPLY**

15 On August 8, 2006, petitioner, a California prisoner then incarcerated at Solano State
16 Prison and proceeding pro se, filed an amended petition in the above-titled habeas corpus
17 action, alleging that the revocation of his probation, on October 27, 2003, and the three-year
18 sentence imposed by the trial court as a result thereof, violated his federal constitutional
19 rights. He sought release from custody.


20 By order filed June 8, 2009, the Court ordered petitioner to show cause why the
21 petition should not be dismissed as moot, in light of the fact that petitioner no longer is
22 incarcerated and, consequently, might no longer be serving the sentence imposed when
23 probation was revoked. Further, the Court ordered respondent to file a reply to the response
24 within fifteen days of the date the response was filed. (Order, filed June 8, 2009, at 3:4-9.)

25 Petitioner filed his response to the order to show cause on June 16, 2009. Although
26 more than fifteen days have passed, respondent has not filed a reply. The Court has learned,
27 however, that respondent was not served with either a copy of the Court's order to show
28 cause or petitioner's response thereto. Accordingly, in the interest of the efficient resolution

1 of this matter, the Court hereby DIRECTS the Clerk of the Court to serve respondent with a
2 copy of the order to show cause and petitioner's response. (Docket Nos. 43 & 44).
3 Respondent shall file a reply to the response within **twenty (20)** days of the date this order is
4 filed. The matter shall be deemed submitted as of the date the reply is due.

5 IT IS SO ORDERED.

6 DATED: July 9, 2009

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8 MAXINE M. CHESNEY
9 United States District Judge
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