

United States District Court
For the Northern District of California

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

LEWIS DALE BANKSTON,

Petitioner,

No. C 07-01819 CRB

v.

ORDER

BEN CURRY, Warden,

Respondent.

Now pending before the Court is Respondent's request to file a motion to dismiss based on the statute of limitations. Respondent's motion is GRANTED. Petitioner shall file an opposition to Respondent's motion on or before December 19, 2008. Respondent's reply shall be filed on or before January 9, 2009. The Court will take the matter under submission at that time.

IT IS SO ORDERED.

Dated: Nov. 18, 2008



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE