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United States District Court
For the Northern District of California

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

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|-----------------|---|----------------------------|
| GARY SNODGRASS, |) | No. C 08-3322 MMC (PR) |
| |) | |
| Petitioner, |) | ORDER TO SHOW CAUSE |
| |) | |
| vs. |) | |
| |) | |
| BEN CURRY, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

On July 9, 2008, petitioner, a California prisoner currently incarcerated at the California Men’s Colony in San Luis Obispo, California, and proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the denial of parole by the California Board of Parole Hearings (“Board”). The Court, by order filed January 20, 2010, granted respondent’s motion to dismiss the petition as a “mixed” petition that contains both exhausted and unexhausted claims. (Docket No. 15 at 9-10.) By that same order, the Court afforded petitioner the opportunity either to amend the mixed petition by striking his unexhausted claims and proceeding only with his exhausted claims, or request a stay of the petition while he exhausts his unexhausted claims in state court. (Id. at 10.)

Petitioner has filed an amended petition from which he has deleted his unexhausted


1 claims. (Docket No. 16.) Accordingly, respondent is HEREBY ORDERED to show cause
2 why the petition should not be granted.

3 Respondent shall file with the Court and serve on petitioner, within **ninety (90)** days
4 of the date this order is filed, an answer conforming in all respects to Rule 5 of the Rules
5 Governing Section 2254 Cases. Respondent shall file with the answer and serve on
6 petitioner a copy of all portions of the state trial record that have been transcribed previously
7 and that are relevant to a determination of the issues presented by the petition.

8 If petitioner wishes to respond to the answer, he shall do so by filing a traverse with
9 the Court and serving it on respondent within **thirty (30)** days of the date the answer is filed.

10 IT IS SO ORDERED.

11 DATED: October 18, 2010

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13 MAXINE M. CHESNEY
14 United States District Judge
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