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

EDWARD PALACIOS,)	
)	
Petitioner,)	No C 08-4470 VRW (PR)
)	
vs.)	ORDER TO SHOW CAUSE
)	
BEN CURRY, Warden,)	
)	
Respondent(s).)	
_____)	

Petitioner, a state prisoner incarcerated at the Correctional Training Facility in Soledad, California, has filed a pro se petition for a writ of habeas corpus under 28 USC § 2254 challenging the July 25, 2007 decision of the California Board of Prison Hearings ("BPH") to deny him parole.

BACKGROUND

Petitioner was convicted of second degree murder in Los Angeles County superior court. On March 21, 1986, he was sentenced to an indeterminate term of 15 years to life in state prison with the possibility of parole.

On August 3, 2005, the BPH held a parole suitability hearing, found petitioner suitable for parole and set a parole date; however, the governor reversed the BPH's parole suitability determination and revoked the parole date.

On July 25, 2007, the BPH held a subsequent parole suitability hearing and found petitioner not suitable for parole.

1 **CONCLUSION**

2 For the foregoing reasons and for good cause shown,

3 1. The clerk shall serve by certified mail a copy of this order and the
4 petition and all attachments thereto on respondent and his attorney, the Attorney
5 General of the State of California. The clerk also shall serve a copy of this order
6 on petitioner.

7 2. Respondent shall file with the court and serve on petitioner, within
8 60 days of the issuance of this order, an answer conforming in all respects to Rule
9 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of
10 habeas corpus should not be issued. Respondent shall file with the answer and
11 serve on petitioner a copy of all portions of the state trial record that have been
12 transcribed previously and that are relevant to a determination of the issues
13 presented by the petition.

14 3. If petitioner wishes to respond to the answer, he shall do so by
15 filing a traverse with the court and serving it on respondent within 30 days of his
16 receipt of the answer.

17 SO ORDERED.

18 

19 VAUGHN R WALKER
20 United States District Chief Judge