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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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SOU HANG SAEPHAN
(prisoner # G-11599),

No. C 09-4658 SI (pr)

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ORDER TO SHOW CAUSE

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Petitioner,

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v.

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J. SCHOMIG, warden;
EDMUND G. BROWN, JR.,
Attorney General of the
State of California,

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Respondents.

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INTRODUCTION

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BACKGROUND

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According to the habeas petition, Saephan was convicted in Alameda County Superior Court of first degree burglary and was sentenced to an unstated amount of time in prison on an

1 1083, 1085 (9th Cir. 1985) (citing Engle v. Isaac, 456 U.S. 107, 119 (1982)). It is unavailable
2 for violations of state law or for alleged error in the interpretation or application of state law.
3 Estelle v. McGuire, 502 U.S. 62, 67-68 (1991); Engle, 456 U.S. at 119.

4
5 **CONCLUSION**

6 For the foregoing reasons,

7 1. The petition states a cognizable claim for habeas relief and warrants a response.

8 2. The clerk shall serve by certified mail a copy of this order, the petition and all
9 attachments thereto upon respondent and respondent's attorney, the Attorney General of the State
10 of California. The clerk shall also serve a copy of this order on petitioner.

11 3. Respondent must file and serve upon petitioner, on or before **May 13, 2011**, an
12 answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases,
13 showing cause why a writ of habeas corpus should not be issued. Respondent must file with the
14 answer a copy of all portions of the court proceedings that have been previously transcribed and
15 that are relevant to a determination of the issues presented by the petition.

16 4. If petitioner wishes to respond to the answer, he must do so by filing a traverse
17 with the court and serving it on respondent on or before **June 17, 2011**.

18 5. Petitioner is responsible for prosecuting this case. Plaintiff must promptly keep
19 the court informed of any change of address and must comply with the court's orders in a timely
20 fashion.

21 6. Petitioner is cautioned that he must include the case name and case number for this
22 case on any document he submits to this court for consideration in this case.

23 IT IS SO ORDERED.

24 DATED: March 14, 2011

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27 SUSAN ILLSTON
28 United States District Judge