

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK OTIS NELSON,

No. C-11-313 EMC (pr)

Petitioner,

ORDER TO SUPPLEMENT EVIDENCE

v.

D. K. SISTO,

Respondent.

_____ /

Respondent moved to dismiss the petition for writ of habeas corpus as barred by the statute of limitations. In his opposition to that motion, Petitioner stated that he had been attempting to obtain files from his counsel and was subjected to prison lockdowns. He provided little evidence of either: his statements were not made under penalty of perjury, he provided almost no dates as to when any events occurred, and many of the documents attached to his petition were unsigned/undated. No later than **December 20, 2011**, Petitioner must file and serve on Respondent a declaration (with any helpful documents he wants to attach to it), in which he provides details of his efforts to obtain the files and why he thought he needed his files. He should describe what he did and when he did it, and describe any impediments to his efforts. He also should explain what

///

///

///


///

///

1 records from the court proceedings he did have and for how long he had them. For any period he
2 claims he was precluded from attending a library due to a lockdown, he should explain why he was
3 unable to use a prison paging system to access legal materials. The Court only wants factual
4 information; no further legal brief is appropriate.

5
6 IT IS SO ORDERED.

7
8 Dated: November 22, 2011

9
10 
11 EDWARD M. CHEN
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28