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

TERRELL LOVE,

No. C 12-6068 JSW

Petitioner,

v.

**ORDER TO SHOW CAUSE RE
RESPONSE TO PENDING
MOTION TO DISMISS CLAIMS**

RICK HILL, Warden,

Respondent.

_____/

Petitioner Terrell Love, a state prisoner, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent has filed a motion to dismiss Claim V as procedurally defaulted and Claim IV and unexhausted. Petitioner sought and was granted an extension of time to file a response to the pending motion to dismiss by no later than September 23, 2013. As of the date of this Order, Petitioner has failed to file a response.


Accordingly, this Court VACATES the hearing on the motion to dismiss currently set for November 15, 2013 and ISSUES this Order to Show Cause to Petitioner to require a response in writing by no later than November 15, 2013 as to why the challenged claims should not be dismissed with prejudice. The response shall also address whether Petitioner intends to maintain the rest of his claims and, if so, proffer a schedule for the remaining briefing of the

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matter. Should Petitioner fail to respond timely to this Order or fail to file timely briefing in the future, he shall face monetary and other sanctions, up to and including dismissal of this habeas petition.

IT IS SO ORDERED.

Dated: November 8, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE