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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAMARCUS ANTHONY THOMPSON,
Plaintiff,
v.
ROBERT W. FOX,
Defendant.

Case No. [14-cv-05178-MEJ](#)

ORDER TO SHOW CAUSE

Petitioner, who is in custody, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court has reviewed the petition and concludes that it warrants a response. Accordingly, IT IS HEREBY ORDERED as follows:

- (1) The Clerk of Court shall serve a copy of the petition and this order upon Respondent(s) and the Attorney General of the State of California. *See* 28 U.S.C. § 2254, Rule 4. The Clerk of Court shall also serve a copy of this order upon Petitioner’s counsel.
- (2) Respondent(s) shall then file and serve an answer in accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6. Respondent(s) shall file with the answer and serve on Petitioner a copy of all portions of the underlying state criminal record that were previously transcribed and are relevant to the issues presented by the petition.
- (3) Petitioner may serve and file a traverse responding to matters raised in the answer in accordance with 28 U.S.C. § 2254, Rule 5 and Habeas Corpus Local Rule 2254-6.
- (4) Respondent(s) may file a motion to dismiss on procedural grounds in lieu of an answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254 Cases within 60 days of the date this order is filed. If such a motion is filed, Petitioner shall file with the Court and serve on Respondent(s) an opposition or statement of non-

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opposition within 28 days of the date the motion is filed, and Respondent(s) shall file with the Court and serve on Petitioner a reply within 14 days of the date any opposition is filed.

IT IS SO ORDERED.

Dated: December 2, 2014



MARIA-ELENA JAMES
United States Magistrate Judge