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

GUMARO BAEZ,

Petitioner,

No. C 15-01722 WHA

v.

WILLIAM MUNIZ, Warden, Salinas
Valley State Prison,

Respondent.

ORDER TO SHOW CAUSE

Petitioner Gumaro Baez is currently incarcerated in the state of California. Pursuant to 28 U.S.C. 2254, he has filed a petition for a writ of habeas corpus, through his counsel. In his petition for writ of habeas corpus, he has stated valid claims under Section 2254. Thus, respondent is **ORDERED TO ANSWER THE PETITION.**


RESPONDENT SHALL FILE WITH THE COURT AND SERVE ON PETITIONER, WITHIN NINETY DAYS OF THE ISSUANCE OF THIS ORDER, AN ANSWER conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be granted based on the claims found cognizable herein. Respondent shall file with the answer and serve on petitioner a copy of all portions of the state trial record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition. The record must be indexed. If petitioner wishes to respond to the answer, he **SHALL FILE A TRAVERSE AND SERVE IT ON RESPONDENT WITHIN THIRTY DAYS OF THE DATE THAT THE ANSWER IS FILED.**

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Respondent may file, within ninety days, 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. If respondent files such a motion, petitioner shall file with the Court and serve on respondent an opposition or statement of non-opposition within thirty days of the date the motion is filed, and respondent shall file with the Court and serve on petitioner a reply within fifteen days of the date any opposition is filed.

IT IS SO ORDERED.

Dated: December 9, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE