

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIGUEL WOOTEN,
Plaintiff,

v.

WARREN L. MONTGOMERY,
Defendant.

Case No. 16-cv-03755-VC

ORDER TO SHOW CAUSE

Wooten's habeas petition is not "so incredible or frivolous as to warrant summary dismissal." *Hendricks v. Vasquez*, 908 F.2d 490, 492 (9th Cir. 1990). The clerk is therefore ordered to serve a copy of the petition and all supporting materials on the respondent, and the respondent is ordered to file (and serve on the petitioner) an answer to the petition within 60 days of the date of this order. Respondent shall also file and serve a copy of all portions of the state-court record that are relevant in adjudicating the issues raised by the petition.

If the petitioner wishes to file a traverse, he may do so within 30 days of the respondent's answer.

IT IS SO ORDERED.

Dated: July 15, 2016



VINCE CHHABRIA
United States District Judge