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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEVIN LAMAR MOORE,
Petitioner,
v.
DEBBIE ASUNCION,
Respondent.

Case No. [16-cv-06976-WHO](#) (PR)

ORDER TO SHOW CAUSE

INTRODUCTION

Petitioner Kevin Lamar Moore seeks federal habeas relief from his state convictions. The petition for such relief has been reviewed under 28 U.S.C. § 2243 and Rule 4 of the Rules Governing Section 2254 Cases and has been found to state cognizable claims. Accordingly, respondent shall file an answer or dispositive motion in response to the habeas petition on or before **April 10, 2017**, unless an extension is granted.

BACKGROUND

According to the petition, in 2013 a Sonoma County Superior Court jury convicted Moore of robbery and assault, consequent to which he was sentenced to 35 years to life in state prison.

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answer is filed.

4. In lieu of an answer, respondent may file, on or before April 10, 2017, a motion to dismiss on procedural grounds, 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 (30) days of the date the motion is filed, and respondent shall file with the Court and serve on petitioner a reply within fifteen (15) days of the date any opposition is filed.

5. Petitioner is reminded that all communications with the Court must be served on respondent by mailing a true copy of the document to respondent's counsel.


6. It is petitioner's responsibility to prosecute this case. Petitioner must keep the Court and respondent informed of any change of address and must comply with the Court's orders in a timely fashion. Failure to do so may result in the dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

7. Upon a showing of good cause, requests for a reasonable extension of time will be granted provided they are filed on or before the deadline they seek to extend.

8. The Court notes that the filing fee has been paid.

IT IS SO ORDERED.

Dated: February 1, 2017


WILLIAM H. ORRICK
United States District Judge