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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAIME MARCELO,
Petitioner,

v.

CHARLES CALLAHAN,
Respondent.

Case No. [17-cv-01229-JCS](#) (PR)

ORDER TO SHOW CAUSE

INTRODUCTION

Petitioner seeks federal habeas relief under 28 U.S.C. § 2254 from his state convictions.¹ The petition for such relief is here for review under 28 U.S.C. § 2243 and Rule 4 of the Rules Governing Section 2254 Cases.

Respondent shall file a response to the petition on or before **July 17, 2017**, unless an extension is granted. It appears that the claims are unexhausted. If respondent concludes that they are unexhausted, he may file a motion to dismiss on such grounds, though he is not required to do so.

BACKGROUND

According to the petition in 2015 a San Francisco County Superior Court jury convicted petitioner of rape, unlawful sexual intercourse with a minor, pimping a minor, and pandering with a minor. He received a sentence of 8 years and 8 months in state prison.

¹ Petitioner consented to magistrate judge jurisdiction. (Dkt. No. 4.) The magistrate judge, then, has jurisdiction to issue this order, even though respondents have not been served or consented to magistrate judge jurisdiction. *See Neals v. Norwood*, 59 F.3d 530, 532 (5th Cir. 1995).

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAIME MARCELO,
Plaintiff,
v.
SAN FRANCISCO COUNTY SUPERIOR
COURT,
Defendant.

Case No. [17-cv-01229-JCS](#)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 4, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jaime Marcelo ID: AW4356
Chuckawalla Valley State Prison
P.O. Box 2349
Blythe, CA 92226

Dated: May 4, 2017

Susan Y. Soong
Clerk, United States District Court

By: Karen L. Hom
Karen Hom, Deputy Clerk to the
Honorable JOSEPH C. SPERO