

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEOFFREY BAGGETT,

Petitioner,

v.

M. E. SPEARMAN,

Respondent.

Case No. [17-cv-06805-VC](#) (PR)

**ORDER TO SHOW CAUSE;
GRANTING MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS**

Petitioner Geoffrey Baggett, a state inmate, filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his 2014 conviction and sentence imposed in the San Mateo County Superior Court. Baggett's motion for leave to proceed in forma pauperis is granted.

It does not appear from the face of the petition that it is clearly without merit. Therefore, the Court hereby issues the following orders:

1. The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California. The Clerk also shall serve a copy of this Order on Baggett at his current address.
2. No later than sixty days from the date of this Order, Respondent shall file with this Court and serve upon Baggett 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 issued. Respondent shall file with the Answer all portions of the state record that have been transcribed previously and are relevant to a determination of the issues presented by the petition. If Baggett wishes to respond to the Answer, he shall do so by filing a Traverse with the Court and serving it

on Respondent within thirty days of his receipt of the Answer. If he does not do so, the petition will be deemed submitted and ready for decision on the date the Traverse is due.

3. No later than sixty days from the date of this Order, Respondent may file with this Court and serve upon Baggett 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, Baggett shall file with the Court and serve on Respondent an opposition or statement of non-opposition to the motion within thirty days of receipt of the motion, and Respondent shall file with the Court and serve on Baggett a reply within fourteen days of receipt of an opposition.

4. It is Baggett's responsibility to prosecute this case. He must keep the Court informed of any change of address by filing a separate paper with the Clerk headed "Notice of Change of Address," and must comply with the Court's orders in a timely fashion. He also must serve on Respondent's counsel all communications with the Court by mailing a true copy of the document to Respondent's counsel.

5. 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.

6. The motion to proceed in forma pauperis is granted.

7. This Order terminates docket number 4.

IT IS SO ORDERED.

Dated: February 9, 2018



VINCE CHHABRIA
United States District Judge