

1 Respondent within sixty (60) days of his receipt of the Answer.
2 Should Petitioner fail to do so, the petition will be deemed
3 submitted and ready for decision sixty (60) days after the date
4 Petitioner is served with Respondent's Answer.

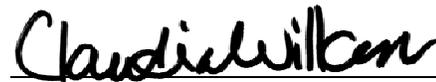
5 4. Respondent may file a motion to dismiss on procedural
6 grounds in lieu of an Answer, as set forth in the Advisory
7 Committee Notes to Rule 4 of the Rules Governing Section 2254
8 Cases. If Respondent files such a motion, Petitioner shall file
9 with the Court and serve on Respondent an opposition or statement
10 of non-opposition to the motion within sixty (60) days of receipt
11 of the motion, and Respondent shall file with the Court and serve
12 on Petitioner a reply within fifteen (15) days of receipt of any
13 opposition.

14 5. It is Petitioner's responsibility to prosecute this case.
15 Petitioner must keep the Court and Respondent informed of any
16 change of address and must comply with the Court's orders in a
17 timely fashion. Petitioner must also serve on Respondent's counsel
18 all communications with the Court by mailing a true copy of the
19 document to Respondent's counsel.

20 6. Extensions of time are not favored, though reasonable
21 extensions will be granted. Any motion for an extension of time
22 must be filed no later than ten (10) days prior to the deadline
23 sought to be extended.

24 IT IS SO ORDERED.

25 Dated: 12/29/08



26 CLAUDIA WILKEN
27 UNITED STATES DISTRICT JUDGE
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DANIEL PARTIDA,
Plaintiff,

v.

BEN CURRY et al,
Defendant.

Case Number: CV08-03751 CW

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 December 29, 2008, 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.

Daniel Partida H-48181
CTF-North
P.O. Box 705
Soledad, CA 93960-0705

Attorney General
State of California
455 Golden Gate Avenue, #11000
San Francisco, CA 94102

Ben Curry, Warden
California Training Facility
P.O. Box 686
Soledad, CA 93960-0686

Dated: December 29, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk