

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

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

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

25 IT IS SO ORDERED.

26 Dated: 5/24/2010



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

28

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 MILES BONTY,
5 Plaintiff,

Case Number: CV09-05797 CW

CERTIFICATE OF SERVICE

6 v.

7 A HEDGPETH, WARDEN et al,
8 Defendant.

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

11 That on May 24, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
13 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
14 receptacle located in the Clerk's office.

15 Miles O. Bonty D-12821
16 Salinas Valley State Prison
17 P.O. Box 1050
18 A5-121L
19 Soledad, CA 93960

20 Dated: May 24, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk