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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BARBARA ANN SALDINGER,

Petitioner,

vs.

SANTA CRUZ COUNTY SUPERIOR  
COURT,

Respondent.

Case No: C 10-3147 SBA (PR)

**ORDER TO SHOW CAUSE**

Petitioner has filed a petition for a writ of habeas corpus in this Court, pursuant to 28 U.S.C. § 2254, to challenge her conviction and sentence. It does not appear from the face of the petition that it is without merit. Good cause appearing, 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 shall also serve a copy of this Order on Petitioner’s counsel.

2. Respondent shall file with this Court and serve upon Petitioner, within thirty (30) days of the issuance of this Order, 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 a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

3. If Petitioner wishes to respond to the Answer, he shall do so by filing a Traverse with the Court and serving it on Respondent within thirty (30) days of his receipt

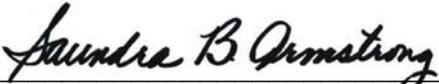
1 of the Answer. Should Petitioner fail to do so, the petition will be deemed submitted and  
2 ready for decision thirty (30) days after the date Petitioner is served with Respondent's  
3 Answer.

4 4. Respondent may file with this Court and serve upon Petitioner, within thirty  
5 (30) days of the issuance of this Order, a motion to dismiss on procedural grounds in lieu of  
6 an Answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing  
7 Section 2254 Cases. If Respondent files such a motion, Petitioner shall file with the Court  
8 and serve on Respondent an opposition or statement of non-opposition to the motion within  
9 thirty (30) days of receipt of the motion, and Respondent shall file with the Court and serve  
10 on Petitioner a reply within fifteen (15) days of receipt of any opposition.

11 5. Extensions of time are not favored, though reasonable extensions will be  
12 granted. Any motion for an extension of time must be filed no later than ten (10) days prior  
13 to the deadline sought to be extended.

14 IT IS SO ORDERED.

15 Dated: August 5, 2010

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

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