

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

3 WILLIE LOUIS THOMPSON,

No. C 12-02850 CW (PR)

4 Petitioner,

ORDER TO SHOW CAUSE AND
GRANTING LEAVE TO PROCEED
IN FORMA PAUPERIS

5 v.

6 G.J. JANDA, Warden,

(Docket no. 2)

7 Respondent.
8 _____/

9 Petitioner, a state prisoner proceeding pro se, filed this
10 petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254,
11 challenging his state criminal conviction. He also moves for
12 leave to proceed in forma pauperis. It does not appear from the
13 face of the petition that it is without merit.

14 Good cause appearing, the Court hereby issues the following
15 orders:

16 1. Leave to proceed in forma pauperis is GRANTED.

17 2. The Clerk shall serve a copy of this Order and the
18 petition and all attachments thereto upon Respondent and
19 Respondent's attorney, the Attorney General of the State of
20 California. The Clerk also shall serve a copy of this Order on
21 Petitioner at his current address.

22 3. No later than sixty days from the date of this Order,
23 Respondent shall file with this Court and serve upon Petitioner an
24 Answer conforming in all respects to Rule 5 of the Rules Governing
25 Section 2254 Cases, showing cause why a writ of habeas corpus
26 should not be issued. Respondent shall file with the Answer all
27 portions of the state record that have been transcribed previously
28 and are relevant to a determination of the issues presented by the

1 petition.

2 If Petitioner wishes to respond to the Answer, he shall do so
3 by filing a Traverse with the Court and serving it on Respondent
4 no later than thirty days from his receipt of the Answer. If he
5 does not do so, the petition will be deemed submitted and ready
6 for decision on the date the Traverse is due.

7 4. No later than sixty days from the date of this Order,
8 Respondent may file with this Court and serve upon Petitioner a
9 motion to dismiss on procedural grounds in lieu of an Answer, as
10 set forth in the Advisory Committee Notes to Rule 4 of the Rules
11 Governing Section 2254 Cases.

12 If Respondent files such a motion, Petitioner shall file with
13 the Court and serve on Respondent an opposition or statement of
14 non-opposition to the motion within twenty-eight days of receipt
15 of the motion, and Respondent shall file with the Court and serve
16 on Petitioner a reply within fourteen days of receipt of an
17 opposition.

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

24 6. Extensions of time are not favored, though reasonable
25 extensions will be granted. Any motion for an extension of time
26 must be filed no later than ten days prior to the deadline sought
27 to be extended.

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This Order terminates Docket no. 2.

IT IS SO ORDERED.

Dated: 12/3/2012



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE