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E-FILED - 12/9/08

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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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DAVID LITMON,

C 08-2569 RMW (PR)

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Petitioner,

ORDER

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v.

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NORM KRAMER,

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Respondent.

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GOOD CAUSE APPEARING, it is hereby ordered that Respondent may have until December 10, 2008, to file his answer to the petition for writ of habeas corpus. 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 days of his receipt of the answer.

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Respondent may, on or before December 10, 2008, file 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, petitioner shall file with the court and serve on respondent an opposition or statement of non-opposition within thirty days of receipt of the motion, and respondent shall file with the court and serve on petitioner a reply withing fifteen days of receipt of any opposition.

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DATED: 12/5, 2008.



RONALD M. WHYTE
United States District Judge