

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E-Filed 9/14/2010

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JIDEOFOR AJAELO,

Petitioner,

v.

WARDEN DOMINGO URIBE,

Respondent.

Case Number 5:10-cv-03327-JF

ORDER TO SHOW CAUSE

Petitioner, a state prisoner currently incarcerated at the California State Prison - Centinela, Imperial, California, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is represented by counsel. Venue is proper because Petitioner was convicted and sentenced in the Alameda County Superior Court, which lies within the Northern District of California. *See* 28 U.S.C. § 2241(d) (providing that venue is proper in either the district in which the petitioner was convicted and sentenced or the district in which the petitioner is incarcerated).

IT IS ORDERED as follows:

(1) The Clerk of the Court shall serve a copy of the petition and a copy of this Order upon counsel for Respondent, the Attorney General of the State of California. The Clerk of the

1 Court also shall serve a copy of this Order upon counsel for Petitioner, Robert Joseph Beles, Law
2 Offices of Robert J. Beles.

3 (2) Respondent shall, within sixty (60) days after receiving this order, file and serve
4 upon Petitioner's counsel an answer conforming in all respects to Rule 5 of the Rules Governing
5 Section 2254 Cases, showing cause why a writ of habeas corpus should not issue. At the time
6 the answer is filed, Respondent shall lodge with the Court all records relevant to a determination
7 of the issues presented by the petition. If Respondent contends that Petitioner has failed to
8 exhaust state remedies as to any ground for relief asserted in the petition, Respondent shall
9 specify what state remedy remains available to Petitioner. If Respondent waives or concedes the
10 issue of exhaustion, Respondent shall so state in the answer.

11 (3) Petitioner may file a traverse responding to matters raised in the answer within
12 thirty (30) days after receiving the answer.

13 (4) Unless otherwise ordered by the Court, the matter will be deemed submitted upon
14 the filing of the traverse or upon the expiration of time to file a traverse.

15
16
17
18 DATED: 9/13/2010

19
20
21 JEREMY FOGEL
United States District Judge
22
23
24
25
26
27
28



1 A copy of this order was served on the following persons:

2

3 Counsel for Petitioner:

4 Robert Joseph Beles pablito@lmi.net

5 Paul Gilruth McCarthy pablito@lmi.net

6

7 Robert Joseph Beles
8 Law Offices of Robert J. Beles
9 One Kaiser Plaza
10 Suite 2300
11 Oakland, CA 94612

9

10

Counsel for Respondent:

11

12 Office of the Attorney General of the State of California
13 455 Golden Gate Avenue
14 Suite 11000
15 San Francisco, CA 94102-3664

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28