

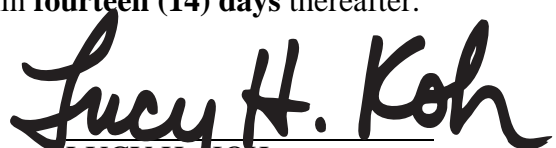
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANTHONY GASTON,)	No. C 10-4068 LHK (PR)
)	
Petitioner,)	ORDER DIRECTING
)	PETITIONER TO FILE
v.)	RESPONSE
)	
ANTHONY HEDGEPEETH, Warden,)	
)	
Respondent.)	
_____)	

Petitioner, a state prisoner proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On November 9, 2011, the Court dismissed Claim 1 as procedurally barred and untimely. The Court then ordered Respondent to show cause why Claim 2 of the petition should not be granted. On January 5, 2012, Respondent filed a motion to dismiss Claim 2 of the petition because it was untimely and failed to state a cognizable claim for habeas relief. Petitioner filed an opposition. Respondent filed a reply, which added a new argument that Claim 2 failed to state a due process claim. Because Petitioner has not had an opportunity to respond to this new argument, the Court directs Petitioner to file a supplemental opposition within **twenty-eight (28) days** of the filing date of this order. If Respondent wishes to file a supplemental reply, he shall do so within **fourteen (14) days** thereafter.

IT IS SO ORDERED.
DATED: 5/30/12


LUCY H. KOH
United States District Judge