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United States District Court
For the Northern District of California

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

JAMES D. CHAVEZ,)	No. C 11-03919 EJD (PR)
Petitioner,)	ORDER TO SHOW CAUSE
v.)	
WARDEN,)	
Respondent.)	
_____)	

Petitioner, a state prisoner, seeks a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging a prison disciplinary decision that resulted in the loss of good time credits.¹ Petitioner has paid the filing fee.

BACKGROUND

Petitioner is currently incarcerated at Pelican Bay State Prison. Petitioner challenges a prison disciplinary hearing at which he was found guilty of attempted battery on a peace officer. Petitioner was assessed 150 days loss of credits.

Petitioner filed the instant federal habeas petition on August 10, 2011.

_____ ¹ The case was reopened after Petitioner provided proof of payment of the filing fee. (See Docket No. 7.)

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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 and serve on Petitioner a copy of all portions of the state trial record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

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 of the answer.

3. Respondent may 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 (30) days** of receipt of the motion, and Respondent shall file with the court and serve on Petitioner a reply within **fifteen (15) days** of receipt of any opposition.

4. Petitioner is reminded that all communications with the court must be served on Respondent by mailing a true copy of the document to Respondent's counsel. Petitioner must also keep the Court and all parties informed of any change of address.

DATED: 3/22/2012


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JAMES D. CHAVEZ,
Petitioner,

Case Number: CV11-03919 EJD

CERTIFICATE OF SERVICE

v.

WARDEN,
Respondent.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 3/22/2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

James D. Chavez T-27420
Pelican Bay State Prison
P. O. Box 7500
Crescent City, CA

Dated: 3/22/2012

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk