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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

MICHAEL A. LOCKHART,	)	No. C 13-0014 EJD (PR)
Petitioner,	)	ORDER TO SHOW CAUSE
vs.	)	
G. J. JANDA,	)	
Respondent.	)	(Docket No. 6)

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Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his state conviction.

**BACKGROUND**

According to the petition, Petitioner was found guilty of possession of cocaine for sale and transportation of a controlled substance after a jury trial in Alameda County. (Pet. at 2.) Petitioner was sentenced to 25 years to life in prison. (Id.)

Petitioner appealed his conviction, and the state appellate court affirmed. (Id. at 3.) The state high court denied review. (Id.)

Petitioner filed the instant federal habeas petition on January 2, 2013.



1 attorney, the Attorney General of the State of California. The Clerk also shall serve  
2 a copy of this order on Petitioner.

3 3. Respondent shall file with the court and serve on petitioner, within  
4 **sixty (60) days** of the issuance of this order, an answer conforming in all respects to  
5 Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of  
6 habeas corpus should not be issued. Respondent shall file with the answer and serve  
7 on Petitioner a copy of all portions of the state trial record that have been transcribed  
8 previously and that are relevant to a determination of the issues presented by the  
9 petition.

10 If Petitioner wishes to respond to the answer, he shall do so by filing a  
11 traverse with the Court and serving it on Respondent within **thirty (30) days** of his  
12 receipt of the answer.

13 4. Respondent may file a motion to dismiss on procedural grounds in lieu  
14 of an answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules  
15 Governing Section 2254 Cases. If Respondent files such a motion, Petitioner shall  
16 file with the Court and serve on Respondent an opposition or statement of non-  
17 opposition within **thirty (30) days** of receipt of the motion, and Respondent shall  
18 file with the court and serve on Petitioner a reply within **fifteen (15) days** of receipt  
19 of any opposition.

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

24 This order terminates Docket No. 6.

25  
26 DATED: 3/14/2013

  
27 EDWARD J. DAVILA  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL A. LOCKHART,

Petitioner,

vs.

G. J. JANDA,

Respondent.

Case Number CV 13-00014 EJD (PR)

**CERTIFICATE OF SERVICE**

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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 3/14/2013, 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) inter-office delivery receptacle located in the Clerk's office.

**Michael A. Lockhart**  
AF-4021  
Calipatria State Prison  
7018 Blair Road  
Calipatria, CA 92233

DATED: 3/14/2013

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