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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ALEJANDRO GONZALEZ,
Petitioner,

v.

VINCENT ADAMS, Warden,
Respondent.

Case No. [5:15-cv-02348-EJD](#)

**ORDER TO SHOW CAUSE RE:
PETITION FOR WRIT OF HABEAS
CORPUS**

Re: Dkt. No. 1

After a trial in Santa Clara County Superior Court, a jury found Petitioner Alejandro Gonzalez (“Petitioner”) guilty on August 10, 2011, of four counts of aggravated sexual assault on a child under 14 by a perpetrator more than ten years older than such child in violation of California Penal Code § 269. On September 26, 2011, Petitioner was sentenced to four consecutive terms of 15 years to life. He is currently incarcerated at North Kern State Prison in Delano, California.

Petitioner, represented by counsel, initiated the instant habeas action pursuant to 28 U.S.C. § 2254 on May 27, 2015. The court has reviewed the § 2254 Petition and has determined that it warrants a response from Respondent. Accordingly, the court orders Respondent to show cause why the petition should not be granted, as follows:

1. The Clerk shall serve by mail a copy of this Order to Show Cause and the Petition and all attachments (Docket Item No. 1) upon Respondent.
2. Respondent shall file with the court and serve on Petitioner, within sixty (60) days of the date this order is filed, an answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be granted.

1 Respondent shall file with the answer and serve on Petitioner a copy of all portions of the
2 underlying state criminal court records that have been transcribed previously and that are relevant
3 to a determination of the issues presented by the Petition.

4 3. If Petitioner wishes to respond to the answer, he shall do so by filing a traverse with
5 the court and serving a copy on Respondent within thirty (30) days of his receipt of the answer.

6 4. Respondent may file a motion to dismiss on procedural grounds in lieu of an
7 answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section
8 2254 Cases. If Respondent files such a motion, Petitioner shall file with the court and serve on
9 Respondent an opposition or statement of non-opposition within thirty (30) days of receipt of the
10 motion. Respondent may file with the court and serve on Petitioner a reply within fifteen (15)
11 days of receipt of any opposition.

12
13 **IT IS SO ORDERED.**

14 Dated: July 16, 2015

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16 EDWARD J. DAVILA
17 United States District Judge