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

JESSE BLUE,	)	No. C 15-3369 LHK (PR)
	)	
Petitioner,	)	ORDER <i>SUA SPONTE</i> GRANTING
	)	EXTENSION OF TIME TO FILE
v.	)	ANSWER OR MOTION TO
	)	DISMISS
WARDEN ELVIN VALENZUELA,	)	
	)	
Respondent.	)	
_____	)	

Petitioner, a state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus challenging his 2011 criminal conviction in Alameda County. On February 8, 2016, the court reviewed petitioner’s petition, and directed respondent to show cause why the petition should not be granted.

Unfortunately, the court’s February 8, 2016 order was never served on respondent nor provided to the Office of the Attorney General. Therefore, the court *sua sponte* GRANTS an extension of time within which respondent shall file an answer or a motion to dismiss. Respondent’s answer or motion to dismiss shall be filed **within sixty (60) days** of the filing date of this order. If respondent files an answer, petitioner may respond by filing a traverse with the court and serving it on respondent within **thirty days** of the filing date of the answer.

If respondent files a motion to dismiss on procedural grounds in lieu of an answer, petitioner shall file with the court and serve on respondent an opposition or statement of non-opposition within **twenty-eight days** of the filing date of the motion, and respondent shall file

1 with the court and serve on petitioner a reply within **fourteen days** of the filing date of any  
2 opposition.

3 **The Clerk is directed to send a copy of this order and the February 8, 2016 order to**  
4 **respondent and respondent's attorney, the Attorney General of the State of California.**

5 IT IS SO ORDERED.

6 DATED: 4/18/2016

  
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LUCY H. KOH  
United States District Judge

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