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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARCUS ANDERSON,)
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 Petitioner,)
)
 vs.)
)
 BRIAN E. WILLIAMS, *et al.*,)
)
 Respondents.)
 /

2:10-cv-01916-KJD-LRL

ORDER

Petitioner has submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254 (received November 2, 2010). Petitioner has also paid the \$5.00 filing fee for the petition. The petition shall therefore be filed, docketed and served upon the respondents.

A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions). If petitioner is aware of any claim not included in his petition, he should notify the Court of that as soon as possible, perhaps by means of a motion to amend his petition to add the claim.

IT IS THEREFORE ORDERED that the Clerk shall **FILE and ELECTRONICALLY SERVE** the petition (docket #1) upon the respondents.

IT IS FURTHER ORDERED that respondents shall have **forty-five (45)** days from entry of this order within which to answer, or otherwise respond to, the petition. In their answer or

1 other response, respondents shall address any claims presented by petitioner in his petition as well as
2 any claims presented by petitioner in any Statement of Additional Claims. Respondents shall raise
3 all potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
4 procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed,
5 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the
6 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have
7 **forty-five (45) days** from the date of service of the answer to file a reply.

8 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the
9 Attorney General of the State of Nevada a copy of every pleading, motion, or other document he
10 submits for consideration by the Court. Petitioner shall include with the original paper submitted for
11 filing a certificate stating the date that a true and correct copy of the document was mailed to the
12 Attorney General. The Court may disregard any paper that does not include a certificate of service.
13 After respondents appear in this action, petitioner shall make such service upon the particular Deputy
14 Attorney General assigned to the case.

15 DATED: November 10, 2010



17 UNITED STATES DISTRICT JUDGE

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