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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

IVAN DOMINGUEZ,	)	
	)	
Petitioner,	)	2:12-cv-01609-GMN-GWF
	)	
vs.	)	<b>ORDER</b>
	)	
BRIAN E. WILLIAMS, <i>et al.</i> ,	)	
	)	
Respondents.	)	
	/	

Ivan Dominguez is a Nevada prisoner who has filed petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254. In response to this court’s order, he has both submitted an application to proceed *in forma pauperis* (ECF #3), as well as paid the filing fee (see ECF #4). Accordingly, his application to proceed *in forma pauperis* will be denied as moot.

The habeas petition shall be filed and docketed, and it shall be 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 petitioner’s application to proceed *in forma pauperis* (ECF #3) is **DENIED** as moot.

1                   **IT IS FURTHER ORDERED** that the Clerk shall **FILE** and **ELECTRONICALLY**  
2 **SERVE** the petition (see ECF #1) on the respondents.

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

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

19                   **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents  
20 herein shall be filed with a separate index of exhibits identifying the exhibits by number or letter. The  
21 CM/ECF attachments that are filed further shall be identified by the number or numbers (or letter or

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1 letters) of the exhibits in the attachment. The hard copy of any additional state court record exhibits  
2 shall be forwarded – for this case – to the staff attorneys in Reno.

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4 Dated, this 19th day of November, 2012.

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8 UNITED STATES DISTRICT JUDGE  
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