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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

STEVEN NELSON MURRAY,

 Petitioner,

 v.

BRIAN WILLIAMS, SR., et al.,

 Respondents.

Case No. 2:12-cv-02212-RFB-VCF

ORDER

Petitioner having filed an amended petition for writ of habeas corpus in this case, IT IS HEREBY ORDERED that respondents will have until January 7, 2019, to answer or otherwise respond to the amended petition, and that petitioner may file a reply thereto within thirty days of service of the answer. The response and reply time to any motion filed by either party, including a motion filed in lieu of a pleading, shall be governed instead by Local Rule LR 7-2(b).

IT IS FURTHER ORDERED that any procedural defenses raised by respondents in this case shall be raised together in a single consolidated motion to dismiss. Respondents shall not file a response in this case that consolidates their procedural defenses, if any, with their response on the merits, except pursuant to 28 U.S.C. § 2254(b)(2) as to any unexhausted claims clearly lacking merit. If respondents do seek dismissal of unexhausted claims under § 2254(b)(2): (a) they shall do so within the single motion to dismiss not in the answer; and (b) they shall specifically direct their argument to the standard for dismissal under § 2254(b)(2) set forth in

1 *Cassett v. Stewart*, 406 F.3d 614, 623-24 (9th Cir. 2005). All procedural defenses, including
2 exhaustion, must be raised by motion to dismiss.

3 IT IS FURTHER ORDERED that, in any answer filed on the merits, respondents shall
4 specifically cite to and address the applicable state court written decision and state court record
5 materials, if any, regarding each claim within the response as to that claim.

6 IT IS SO ORDERED.

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8 DATED this 6th day of November, 2018.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

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