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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID VAN DUKE,)	
)	
Petitioner,)	2:13-cv-00688-APG-PAL
)	
vs.)	ORDER
)	
DWIGHT NEVEN, <i>et al.</i> ,)	
)	
Respondents.)	
_____	/	

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Petitioner has paid the filing fee for this action. (ECF No. 4). The petition shall now be filed and served on 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).

IT IS THEREFORE ORDERED that the Clerk shall **FILE and ELECTRONICALLY SERVE** the petition (ECF No. 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 other

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

7 **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents shall
8 be filed with a separate index of exhibits identifying the exhibits by number or letter. The hard copy
9 of all state court record exhibits shall be forwarded, for this case, to the staff attorneys in the **Reno**
10 Division of the Clerk of Court.

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

18 Dated this 22nd _ day of July, 2013.

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21 _____
22 UNITED STATES DISTRICT JUDGE
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