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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 GLEN SCRUGGS,

6 Petitioner,

7 vs.

8 DWIGHT NEVEN, *et al.*,

9 Respondents.
10

Case No. 2:14-cv-00625-GMN-CWH

ORDER

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12 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254
13 by a Nevada state prisoner.

14 Petitioner has filed a motion to proceed *in forma pauperis*. (ECF No. 1). Based on the
15 information regarding petitioner's financial status, the Court finds that the motion to proceed *in*
16 *forma pauperis* should be granted. The petition shall now be filed and served on respondents.

17 **IT IS THEREFORE ORDERED** that the application to proceed *in forma pauperis* (ECF
18 No. 1) is **GRANTED**.

19 **IT IS FURTHER ORDERED** that the Clerk shall **FILE and ELECTRONICALLY**
20 **SERVE** the petition upon the respondents.

21 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from entry
22 of this order within which to answer, or otherwise respond to, the petition. In their answer or other
23 response, respondents shall address all claims presented in the petition. Respondents shall raise all
24 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
25 procedural default. **Successive motions to dismiss will not be entertained**. If an answer is filed,
26 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in
27 the United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have
28 **forty-five (45) days** from the date of service of the answer to file a reply.

