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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BILLY CEPERO,
Petitioner,
vs.
BRIAN WILLIAMS, et al.,
Respondents.

Case No. 2:16-cv-00204-RFB-NJK

ORDER

Petitioner has paid the filing fee. The court has reviewed the petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The court will serve the petition upon respondents for a response.

Petitioner also has filed a request to reopen case (ECF No. 7) and a motion for reconsideration of the court’s denial of his earlier motion for appointment of counsel (ECF No. 8). Nothing in these motions would cause the court to depart from its denials of earlier, similar motions. See ECF No. 4.

IT IS THEREFORE ORDERED that the clerk of the court shall add Adam Paul Laxalt, Attorney General for the State of Nevada, as counsel for respondents.

IT IS FURTHER ORDERED that the clerk shall electronically serve upon respondents a copy of the petition and this order. In addition, the clerk shall return to petitioner a copy of the petition.

IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from the date on which the petition was served to answer or otherwise respond to the petition. Respondents shall

1 raise all potential affirmative defenses in the initial responsive pleading, including untimeliness,
2 lack of exhaustion, and procedural default. Successive motions to dismiss will not be entertained.
3 If respondents file and serve an answer, then they shall comply with Rule 5 of the Rules Governing
4 Section 2254 Cases in the United States District Courts, and then petitioner shall have forty-five
5 (45) days from the date on which the answer is served to file a reply. If respondents file a motion,
6 then the briefing schedule of Local Rule LR 7-2 shall apply.

7 IT IS FURTHER ORDERED that any exhibits filed by the parties shall be filed with a
8 separate index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments
9 that are filed further shall be identified by the number or numbers (or letter or letters) of the exhibits
10 in the attachment. The hard copy of any additional state court record exhibits shall be
11 forwarded—for this case—to the staff attorneys in Las Vegas.

12 IT IS FURTHER ORDERED that henceforth, petitioner shall serve upon respondents or, if
13 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or
14 other document submitted for consideration by the court. Petitioner shall include with the original
15 paper submitted for filing a certificate stating the date that a true and correct copy of the document
16 was mailed to the respondents or counsel for the respondents. The court may disregard any paper
17 received by a district judge or magistrate judge that has not been filed with the clerk, and any paper
18 received by a district judge, magistrate judge, or the clerk that fails to include a certificate of service.

19 IT IS FURTHER ORDERED that petitioner's request to reopen case (ECF No. 7) is
20 **DENIED.**

21 IT IS FURTHER ORDERED that petitioner's motion for reconsideration of the court's
22 denial of his earlier motion for appointment of counsel (ECF No. 8) is **DENIED.**

23 DATED this 22nd day of June, 2017.



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26 RICHARD F. BOULWARE, II
United States District Judge