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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

J. D. CALDWELL,

Petitioner,

vs.

JO GENTRY, et al.,

Respondents.

Case No. 2:17-cv-02529-RFB-CWH

**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.

IT IS THEREFORE ORDERED that the clerk of the court shall file the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

IT IS FURTHER ORDERED that the clerk 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 raise all potential affirmative defenses in the initial responsive pleading, including untimeliness, lack of exhaustion, and procedural default. Successive motions to dismiss will not be entertained.

1 If respondents file and serve an answer, then they shall comply with Rule 5 of the Rules Governing  
2 Section 2254 Cases in the United States District Courts, and then petitioner shall have forty-five  
3 (45) days from the date on which the answer is served to file a reply. If respondents file a motion,  
4 then the briefing schedule of Local Rule LR 7-2 shall apply.

5 IT IS FURTHER ORDERED that the hard copy of any electronically filed exhibits shall be  
6 forwarded—for this case—to the staff attorneys in Las Vegas.

7 DATED: January 9, 2018.



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10 RICHARD F. BOULWARE, II  
United States District Judge

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