

1 motions filed by either party, including a motion filed in lieu of a pleading, is governed by Local
2 Rule LR 7-2(b).

3 IT IS FURTHER ORDERED that any procedural defenses raised by respondents must be
4 raised together in a single, consolidated motion to dismiss. Successive motions to dismiss will
5 not be entertained, and procedural defenses embedded in the answer may be ignored. Procedural
6 defenses omitted from a single, consolidated motion to dismiss will be deemed waived.
7 Respondents may not file a response that consolidates their procedural defenses, if any, with their
8 response on the merits, except as allowed by 28 U.S.C. § 2254(b)(2) with respect to any
9 unexhausted claims clearly lacking merit. If respondents do seek dismissal of unexhausted
10 claims under § 2254(b)(2): (a) they must do so within the single motion to dismiss and not in the
11 answer; and (b) they must specifically direct their argument to the standard for dismissal under §
12 2254(b)(2) as outlined in *Cassett v. Stewart*, 406 F.3d 614, 623–24 (9th Cir. 2005).

13 IT IS FURTHER ORDERED that, in any answer filed on the merits, respondents must
14 specifically cite to and address the applicable state-court written decision and state-court record
15 materials, if any, regarding each claim within the response as to that claim.

16 IT IS FURTHER ORDERED that any state-court record exhibits filed by the parties must
17 be filed with an index identifying the exhibits by number. The CM/ECF attachments that are
18 filed must further be identified by the number of the exhibit in the attachment. If more exhibits
19 are filed than can fit in a single ECF number, the first document within each successive ECF
20 number must be a cover so that all exhibits are labeled as attachments. For example, if there are
21 more exhibits than can be filed as attachments to ECF No. 5, ECF No. 6 must be a cover page,
22 and the remaining exhibits would be ECF Nos. 6-1, 6-2, 6-3, etc.

23 IT IS FURTHER ORDERED that **the parties must send hard copies of any exhibits**
24 **filed in this case to the RENO Clerk's Office.**

25 DATED: February 22, 2018.

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28 U.S. District Judge Jennifer A. Dorsey