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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 ROBERTO MIRANDA ZAMARRON,)

9 Petitioner,)

Case No.3:10-CV-00094-ECR-VPC

10 vs.)

11 STATE OF NEVADA, *et al.*,)

12 Respondents.)

ORDER

13 The Motion to Dismiss, filed by respondents on May 12, 2010 remains pending. As
14 previously occurred, petitioner has informed the Court via letter that he has not yet received a copy of
15 the motion to dismiss or its exhibits (ECF No. 27), despite respondents having filed a Certificate of
16 Service showing that the motion and exhibits had been mailed to petitioner at the proper address with
17 reference to petitioner's NDOC identifying number (his back number) on December 16, 2010. (ECF
18 No. 26.)

19 These circumstances present the Court with a quandary as to what the truth of the matter
20 may be. Thus, respondents shall be required to provide this Court with evidence of the receipt at the
21 prison and delivery to petitioner of the motion and exhibits that were certified to have been mailed on
22 December 16, 2010. This evidence shall include a copy of the Lovelock Correctional Center Mail Log
23 which shows that petitioner received the items and when, along with an affidavit of the prison official
24 who delivered that mail into petitioner's possession. Respondents may also present such arguments or
25 other response to the petitioner's letter as they may see fit in order to establish the facts surrounding this
26 mystery.

1 The Court notes that petitioner is reminded of his obligation to provide respondents with
2 a copy of each and every document, including correspondence, which he submits for filing or delivers
3 to this Court in this matter.¹ See, LR 5-1. Failure in the future to provide such copy to respondents shall
4 result in the pleading, motion, or correspondence to be stricken from the record and disregarded by the
5 Court.

6 **IT IS THEREFORE ORDERED** that the Clerk shall **electronically transmit** the Letter
7 (ECF No. 27) to respondents and shall mail a copy of the Docket Sheet in this matter to petitioner.

8 **IT IS FURTHER ORDERED** that respondents shall have 20 days to file their Response
9 to this Order as directed above.

10 Dated this 6th day of April 2011.

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14 UNITED STATES DISTRICT JUDGE
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24 ¹ The Court acknowledges the possibility that petitioner is unaware of the name and address of
25 the attorney representing respondents because of his apparent inability to receive mail sent to him by
26 counsel. Which circumstance would render it impossible for petitioner to provide a copy of his
correspondent to the Court to that individual. Such circumstance shall be remedied by this Order.