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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 GREGORY EBELING,)
9 Petitioner,) 3:-10-cv-0356-RCJ-RAM
10 vs.)
11 GREGG SMITH, *et al.*,)
12 Respondents.)
/

13 In this habeas corpus action, on September 30, 2010, counsel appeared on behalf of
14 petitioner (docket #10). Petitioner's counsel is Debra A. Bookout, Assistant Federal Public Defender,
15 411 E. Bonneville, Suite 250, Las Vegas, Nevada, 89101. It appears that respondents have not been
16 served with the petition and they have not made an appearance.

The Court will set a schedule for further proceedings in this action.

18 **IT IS THEREFORE ORDERED** that the Clerk shall electronically serve the petition
19 on the respondents. Respondents shall file a notice of appearance within twenty days of entry of this
20 order.

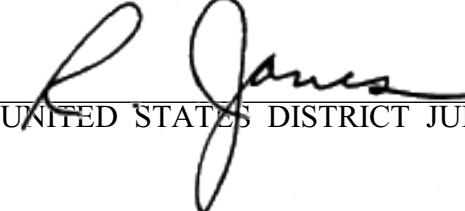
21 **IT IS FURTHER ORDERED** that counsel for petitioner shall meet with petitioner as
22 soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable
23 in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the
24 potential grounds for habeas corpus relief in petitioner’s case; and (c) advise petitioner that all possible
25 grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will
26 likely result in any omitted grounds being barred from future review.

1 **IT IS FURTHER ORDERED** that petitioner shall have **until December 29, 2010**, to
2 file and serve an amended petition for writ of habeas corpus, which shall include all known grounds for
3 relief (both exhausted and unexhausted). Respondents shall have **thirty (30) days** after service of an
4 amended petition within which to answer, or otherwise respond to, the amended petition. If petitioner
5 does not file an amended petition, respondents shall have thirty (30) days from the date on which the
6 amended petition is due within which to answer, or otherwise respond to, petitioner's original petition.
7 Successive motions to dismiss shall not be allowed.

8 **IT IS FURTHER ORDERED** that if and when respondents file an answer, petitioner
9 shall have **thirty (30) days** after service of the answer to file and serve a reply.

10 **IT IS FURTHER ORDERED** that counsel for respondents shall make available to
11 counsel for petitioner (photocopying costs at the latter's expense), as soon as reasonably possible, copies
12 of whatever portions of the state court record they possess regarding the judgment petitioner is
13 challenging in this case.

14 DATED: This 19th day of October, 2010.

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18 UNITED STATES DISTRICT JUDGE
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