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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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LUIS ALONSO HIDALGO, III,

Petitioner,

v.

ROBERT LEGRAND, *et al.*,

Respondents.

Case No. 3:16-cv-00618-MMD-WGC

ORDER

Before the Court are Petitioner's amended petition for writ of habeas corpus (ECF No. 19), an addendum to the amended petition (ECF No. 28), a motion for leave to file supplement to the amended petition (ECF No. 29), Respondents' opposition (ECF No. 30), and Petitioner's reply (ECF No. 31).

The Court currently has piecemeal pleadings, which it does not favor. Petitioner and Respondents appear to agree that Petitioner should file a second amended petition that contains all of Petitioner's claims in one document. The Court has reviewed all the claims under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. When Petitioner files his second amended petition, Respondents will need to file a response to it without further order from the Court.

It is therefore ordered that Petitioner's motion for leave to file supplement to the amended petition (ECF No. 29) is granted in part. Petitioner will have forty-five (45) days from the date of entry of this Order to file a second amended petition that contains all the claims in the amended petition (ECF No. 19), the addendum (ECF No. 28), and the motion for leave to file supplement (ECF No. 29).

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It is further ordered that Respondents will have forty-five (45) days from the date of filing of the second amended petition to file an answer or other response. Respondents must raise all potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and procedural default. Successive motions to dismiss will not be entertained.

It is further ordered that if Respondents file and serve an answer, then they must comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, and then Petitioner will have forty-five (45) days from the date on which the answer is served to file a reply.

It is further ordered that if Respondents file and serve a motion, then Petitioner will have forty-five (45) days from the date of service of the motion to file a response to the motion. Respondents then will have twenty-one (21) days from the date of service of the response to file a reply.

DATED THIS 14<sup>th</sup> day of August 2018.

  
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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE