

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

CHARLES D. VIOX,

V.

**Petitioner,**

Case No. 3:17-cv-00623-MMD-WGC

## ORDER

ISIDRO BACA, *et. al.*

## Respondents.

15        This action is a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254,  
16 by Charles D. Viox, a Nevada prisoner. The initial habeas petition filed herein (ECF No.  
17 5) failed, in this Court's view, to state a cognizable claim for federal habeas relief. The  
18 Court granted petitioner leave to file an amended petition (ECF No. 4), which he did on  
19 November 17, 2017 (ECF No. 9).

20 The Court has reviewed the amended petition pursuant to Habeas Rule 4. The  
21 amended petition will be served upon the respondents, who must respond in the time and  
22 manner described below.

23 It is therefore ordered that the Clerk of the Court electronically serve the amended  
24 petition (ECF No. 9) and a copy of this order on the respondents.

25 It is further ordered that the Clerk add Adam Paul Laxalt, Attorney General of the  
26 State of Nevada, as counsel for respondents.

27 It is further ordered that respondents will have sixty (60) days from the date of entry  
28 of this order to appear in this action, and to answer or otherwise respond to the petition.

1 It is further ordered that if respondents file an answer, petitioner will have sixty (60)  
2 days from the date on which the answer is served on him to file and serve a reply. If  
3 respondents file a motion to dismiss, petitioner will have sixty (60) days from the date on  
4 which the motion is served on him to file and serve a response to the motion to dismiss,  
5 and respondents will, thereafter, have thirty (30) days to file a reply in support of the  
6 motion.

7 It is further ordered that any additional state court record exhibits filed herein by  
8 either petitioner or respondents must be filed with a separate index of exhibits identifying  
9 the exhibits by number. The CM/ECF attachments that are filed further must be identified  
10 by the number or numbers of the exhibits in the attachment. The hard copy of any  
11 additional state court record exhibits must be forwarded — for this case — to the staff  
12 attorneys in Reno.

13 DATED THIS 10<sup>th</sup> day of January 2018.

  
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE