

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WAYLON PACHECO,
Petitioner,

v.

No. 1:17-cv-749-WJ-KRS

TODD GEISEN Captain/Warden, Bureau
of Indian Affairs, Office of Justice Services,
Division of Corrections, DANIEL CORIZ,
Governor, Kewa Pueblo, KENNETH AGUILAR,
Lieutenant Governor, Kewa Pueblo, TIMOTHY
BAILON, Tribal Official, Kewa Pueblo, ROGER
CALABAZA, Tribal Official, Kewa Pueblo, in their
Individual and Official Capacities,
Respondents.

ORDER TO SHOW CAUSE

THIS MATTER comes before the Court sua sponte, following a review of the record in the above-titled cause. On December 21, 2017, Petitioner filed affidavits which reflect that he served Governor Daniel Coriz and Lt. Governor Kenneth Aguilar with copies of his Amended Petition for Writ of Habeas Corpus (Doc. 15) and the Court's Order to Answer (Doc. 4) by leaving the documents with an individual at the Santo Domingo Pueblo Governor's Office on December 11, 2018. (Docs. 16, 17).

At a status conference held on January 10, 2018, the Court was informed that Respondents Coriz and Aguilar have been criminally prosecuted by the Kewa Pueblo and that they are serving a period of incarceration. Records indicate that the respondents began serving their respective sentences on December 6, 2017.¹ Accordingly, it does not appear that Petitioner effectuated proper service on the currently incarcerated, former tribal officials by leaving documents at the Santo Domingo Pueblo Governor's Office on December 11, 2017.

¹ See Coriz v. Rodriguez, et al., 1:17-cv-01258-JB-KBM and Aguilar v. Rodriguez, et al., 1:17-cv-01264-JCH-SMV.

IT IS, THEREFORE, ORDERED that within ten (10) days of the entry of this order, Petitioner shall show cause as to why Respondents Coriz and Aguilar should not be dismissed from this action. Failure to respond or show appropriate cause may result in the dismissal of these Respondents without a hearing and without further notice.

A handwritten signature in cursive script that reads "Kevin Sweazea". The signature is written in black ink and is positioned above a horizontal line.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE