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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 GERARDO ZAMORA- ALVAREZ,
7 Petitioner,

8 v.

9 UNITED STATES OF AMERICA,
10 Respondent.

CASE NO. C06-5576RBL
CRO4-5517RBL

ORDER REQUIRING ANSWER

11
12 This matter comes before the court on the Petitioner's Motion to Set Aside Sentence/Conviction
13 pursuant to 28: U.S.C. §2255.

14 Therefore, it is hereby ORDERED that:

15 (1) If not previously accomplished, the Clerk shall arrange for service upon the United States
16 Attorney, copies of the 2255 motion and of all documents in support thereof.

17 (2) The United States shall **file and serve an answer** in accordance with Rule 5 of the Rules
18 Governing §2255 Cases in United States District Courts not later than **DECEMBER 18, 2006**. As part
19 of such answer, the United States should state its position as to whether an evidentiary hearing is
20 necessary and whether there is any issue as to abuse or delay under Rule 9.

21 The respondent shall file the answer with the Clerk of the Court and serve a copy of the answer
22 upon the petitioner or petitioner's counsel. The answer, and all further pleadings shall include both the
23 civil and criminal case numbers supplied in this order.

24 (3) Any reply by the petitioner shall be filed and served on or before **JANUARY 11, 2007**.

25 **The Clerk shall note the 2255 Motion, on the court's calendar, for Friday, JANUARY 12, 2007.**

26 The Clerk of this Court is instructed to send uncertified copies of this Order to the petitioner, if
27 unrepresented, and to all counsel of record.

28 IT IS SO ORDERED this 13th day of October, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

Order Requiring Answer