

1 Accordingly, it is now hereby ORDERED:

2 (1) Petitioner shall file his amended petition on or before **May 24, 2019. Whether or not**
3 **petitioner files his amended petition, the stay of proceedings is hereby lifted.**

4 (2) If petitioner files an amended petition on or before May 24, 2019, respondent shall file
5 his answer **45 days after the filing of the amended petition.**

6 (3) If petitioner fails to file an amended petition on or before May 24, 2019, respondent shall
7 **file his answer to the original petition by July 8, 2019.**

8 (4) As part of such answer, respondent shall state whether petitioner has exhausted available
9 state remedies and whether an evidentiary hearing is necessary. Respondent shall not file
10 a dispositive motion in place of an answer without first showing cause as to why an
11 answer is inadequate. Respondent shall file the answer with the Clerk of the Court and
12 serve a copy of the answer on petitioner.

13 (5) The answer will be treated in accordance with Local Rule LCR 7. Accordingly, on the
14 face of the answer, respondent shall note it for consideration on the fourth Friday after
15 filing. Petitioner may file and serve a response not later than the Monday immediately
16 preceding the Friday designated for consideration of the matter, and respondent may file
17 and serve a reply not later than the Friday designated for consideration of the matter.

18 (6) The Clerk shall provide copies of this order to petitioner and counsel for respondent.

19 Dated this 2nd day of May, 2019.

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Theresa L. Fricke
23 United States Magistrate Judge