

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PHILLIP GIPSON,

Petitioner,

v.

ROBERT HOREL,

Respondent.

NO. C08-2526 TEH

SECOND ORDER TO SHOW  
CAUSE

On May 23, 2008, this Court issued an order to show cause directing the Clerk of Court to serve the order on Respondent's attorney, the Attorney General of the State of California, and requiring an answer on or before July 28, 2008. It has come to the Court's attention that the Clerk inadvertently failed to complete service as ordered by the Court. Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court shall immediately serve by certified mail a copy of this order upon Respondent's attorney, the Attorney General of the State of California. This case has been designated for electronic filing, and Respondent's attorney shall immediately register with the Court's electronic case filing ("ECF") system.


2. On or before **October 6, 2008**, Respondent shall file and serve an answer showing cause why this Court should not issue a writ of habeas corpus. Respondent's answer shall conform in all respects to Rule 5 of the Rules Governing § 2254 cases. In addition, Respondent shall file and serve with his answer a copy of all portions of the administrative record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

1           3. If Petitioner wishes to respond to the answer, he shall do so by filing a traverse  
2 with the Court and serving it on Respondent on or before **November 3, 2008.**

3           The Court apologizes to Petitioner for the unnecessary delay in adjudicating his  
4 habeas petition that has resulted from the Clerk's error.

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6 **IT IS SO ORDERED.**

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8 Dated: 08/06/08

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT