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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **WESTERN DIVISION**

12 ISAGANI DE LA PENA,

13 Petitioner,

14 v.

15 S. A. HOLENCIK,

16 Respondent.  
17

No. CV 07-7150-R (AGR)

**ORDER RE: FILING OF OPPOSITION TO  
MOTION TO DISMISS**

18 On January 16, 2008, respondent filed a Motion to Dismiss Petition for Writ of Habeas  
19 Corpus. Petitioner's Opposition to respondent's Motion to Dismiss was due by February 16, 2008.  
20 The Court believes that an Opposition may be of assistance in determining this matter. Therefore,  
21 it is **ordered** that petitioner file an Opposition **no later than April 7, 2008**. Petitioner is advised  
22 that failure to oppose a motion to dismiss may be construed as consent to the granting of the  
23 motion, and may result in dismissal of the action. Local Rule 7-12.

24 Unless the Court orders otherwise, the matter will be deemed submitted on the day  
25 following the day petitioner's Opposition is due.

27 DATED: March 6, 2008

*Alicia G. Rosenberg*

ALICIA G. ROSENBERG  
UNITED STATES MAGISTRATE JUDGE