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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

In re

DANIEL RAMIREZ,

On Habeas Corpus.

F069160

(Kern County Sup. Ct. No. LF008878A)

OPINION

THE COURT*

ORIGINAL PROCEEDINGS; petition for writ of habeas corpus.

Daniel Ramirez, in pro. per., for Petitioner.

No appearance on behalf of Respondent.

-ooOoo-

In *In re Daniel Ramirez*, F067132, the Attorney General conceded that petitioner had made a sufficient showing to be entitled to a belated appeal. Upon this court's own motion, judicial notice is taken of the pleadings, letter and orders in case No. F067132.

In case No. F067132, an order was filed granting petitioner leave to file on or before 30 days from the date of that order a belated notice of appeal in Kern County Superior Court action number LF008878A.

* Before Hill, P.J., Kane, J., and Franson, J.

In this action, petitioner again seeks to file a belated appeal asserting that he did not receive this court's order in case No. F067132 in time to file the notice of appeal in action number LF008878A within the time limit.

An order was sent to the Attorney General on April 14, 2014, granting leave to file an informal response on or before 30 days from the date of that order. That order also provided:

“The failure to file a response shall be deemed agreement that relief may issue without further proceedings. (*People v. Romero* (1994) 8 Cal.App.4th 728.)”

DISPOSITION

Pursuant to the failure of the Attorney General to file a response to the order filed on April 14, 2014, let a writ of habeas corpus issue directing the Kern County Superior Court Clerk, if he receives a notice of appeal from petitioner on or before 30 days from the date of this order, to file said notice in Kern County Superior Court action number LF008878A, to deem said notice to be timely filed and to cause the normal record on appeal to be prepared, sent to petitioner and the Attorney General, and filed in this court in accordance with the applicable rules of the California Rules of Court.

Petitioner is directed to cause a notice of appeal to be filed on or before 30 days from the date of this order in Kern County Superior Court action number LF008878A, and to promptly send a copy to this court.