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

JOHN ABEL,

Petitioner,

No. CIV S-11-0721 GEB GGH P

vs.

FRANK X. CHAVEZ, Warden,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 17, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed October 17, 2011, are adopted in full;

and

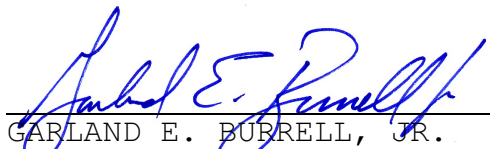
2. Petitioner's motion for a stay and abeyance, filed on March 16, 2011 (docket #

4), is granted; and

3. Petitioner is directed to inform the court within thirty days of any decision by

the state Supreme Court.

Dated: November 22, 2011



GARLAND E. BURRELL, JR.
United States District Judge