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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	ENRIQUE BARRERA,	No. 2:14-cv-2260 JAM DAD P
12	Petitioner,	
13	v.	<u>ORDER</u>
14	W.L. MUNIZ,	
15	Respondent.	
16		
17	Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas	
18	corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate	
19	Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On July 23, 2015, the magistrate judge filed findings and recommendations herein which	
21	were served on all parties and which contained notice to all parties that any objections to the	
22	findings and recommendations were to be filed within fourteen days. On August 17, 2015, the	
23	magistrate judge granted petitioner a thirty-day extension of time to file any objections. That	
24	time period has now expired. To date, neither party has filed objections to the findings and	
25	recommendations.	
26	The court has reviewed the file and finds the findings and recommendations to be	
27	supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY	
28	ORDERED that:	
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1	1. The findings and recommendations filed July 23, 2015, are adopted; and	
2	2. Respondent's motion to dismiss (Doc. No. 11) is granted;	
3	3. Petitioner's renewed motion for a stay and abeyance under the procedure outlined in	
4	the Supreme Court's decision in Rhines (Doc. No. 18) is denied; and	
5	4. Within thirty days of the date of this order, petitioner is directed to file an amended petition	
6	containing only his exhausted Claims (1) and (2). Petitioner may elect to proceed on his fully	
7	exhausted Claims (1) and (2) or he may file with his amended petition a motion for a stay pursuant to	
8	the <u>Kelly</u> procedure.	
9	DATED: November 3, 2015	
10	/s/ John A. Mendez	
11	UNITED STATES DISTRICT COURT JUDGE	
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