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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RANDY ROYAL JOHNSON,

*Petitioner,*

vs.

GREG SMITH, *et al.*,

*Respondents.*

3:09-cv-00561-LRH-RAM

ORDER

In this habeas action, petitioner has not responded to the Court's order (#14) finding that certain claims were not exhausted and directing that he file a motion for either full dismissal, partial dismissal of only the unexhausted claims, or other appropriate relief. The order informed petitioner that the entire petition would be dismissed without further advance notice for lack of complete exhaustion if a motion was not timely mailed to the Clerk for filing.

IT THEREFORE IS ORDERED that the petition shall be DISMISSED without prejudice. The Clerk of Court shall enter final judgment accordingly, dismissing this action without prejudice.

DATED this 15th day of January, 2011.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE