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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JAMES WILLIAM BAILEY, IV,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 1:13-CV-007-WHA
	)	
TONY PATTERSON, et al.	)	
	)	
Respondents.	)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge entered on June 24, 2016 (Doc. #58). There being no timely objection filed to the Recommendation, and after a review of the file, the Recommendation is ADOPTED, and it is hereby

ORDERED that:

1. The petitioner's Motion to Stay Proceedings (Doc. #37) is GRANTED.

2. The proceedings before this Court are STAYED pending exhaustion of the available state court remedy with respect to the petitioner's claims of actual innocence and prosecutorial misconduct based on newly discovered evidence.

3. The Clerk is DIRECTED to administratively CLOSE this case pending exhaustion of the petitioner's available state court remedy for those claims related to newly discovered evidence.

DONE this 18th day of July, 2016.

/s/ W. Harold Albritton
SENIOR UNITED STATES DISTRICT JUDGE

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