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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

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Martin Lopez-Heredia, )

No. CV-08-349-PHX-DGC (GEE)

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Petitioner, )

**ORDER**

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vs. )

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Katrina S. Kane, Field Office Director, )

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Immigration and Customs Enforcement; )

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Susan Lambert, Deportation Officer; and )

Bruno Stolc, Warden, )

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Respondents. )

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Petitioner Martin Lopez-Heredia, a native and citizen of Mexico, is being detained at the federal detention center in Eloy, Arizona. Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, arguing that his current detention while in removal proceedings is contrary to law. Dkt. #1. United States Magistrate Judge Glenda Edmonds has issued a report and recommendation (“R&R”) recommending that the Court grant the petition unless the Government provides a bail hearing to Petitioner within 60 days of the Court’s order. Dkt. #28.

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Respondents have filed an unopposed motion to hold proceedings in abeyance pending extrajudicial resolution efforts. Dkt. #27. Respondents assert that pursuant to two recent Ninth Circuit cases, Petitioner may be entitled to a bond hearing before an immigration judge. *Id.* at 1 (citations omitted). Respondents request that the Court hold proceedings in abeyance until October 3, 2008. *Id.* at 1-2.

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