

1 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is
2 not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must
3 determine de novo any part of the magistrate judge’s disposition that has been properly
4 objected to.”). The Court has nonetheless reviewed the R&R and finds that it is well-
5 taken. The Court will adopt the R&R and will grant the motion in manner recommended
6 by Judge Bade. *See* 28 U.S.C. § 636(b)(1) (stating that the district court “may accept,
7 reject, or modify, in whole or in part, the findings or recommendations made by the
8 magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject, or modify
9 the recommended disposition; receive further evidence; or return the matter to the
10 magistrate judge with instructions.”). Accordingly,

11 **IT IS ORDERED:**

- 12 1. That Magistrate Judge Bade’s Report and Recommendation (Doc. 13) is
13 **accepted** and **adopted** by the Court;
- 14 2. That the reference to the Magistrate Judge is withdrawn as to Petitioner’s
15 Motion for Stay of Habeas Corpus Proceedings (Doc. 11) and the motion is **granted**;
- 16 3. That this action is **stayed** pending further Order of this Court;
- 17 4. That Petitioner must diligently pursue his state remedies;
- 18 5. That Petitioner shall file a report no later than **February 4, 2015** addressing
19 the status of his proceedings in state court;
- 20 6. That Petitioner must file a new report regarding the status of his state court
21 proceedings every **ninety (90) days** after the filing of the initial status report;
- 22 7. That Petitioner is warned that failure to comply with these instructions will
23 result in the Court vacating the stay and may result in dismissal for failure to comply with
24 Court orders, *see* Fed. R. Civ. P. 41(b); and

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8. That this matter shall remain referred to Magistrate Judge Bridget S. Bade pursuant to Rules 72.1 and 72.2 of the Local Rules of Civil Procedure for further proceedings and a report and recommendation.

Dated this 6th day of January, 2015.



Honorable Steven P. Logan
United States District Judge