

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**RICKY SMITH
ADC #133989**

PETITIONER

VS.

CASE NO. 5:11CV00072-BSM-BD

**RAY HOBBS, Director,
Arkansas Department of Correction**

RESPONDENT

ORDER

Pending is Petitioner’s Motion to Stay his petition for writ of habeas corpus under 28 U.S.C. § 2254. (docket entry #15) Respondent has not objected to the motion to stay, and the time to object has passed.

In the motion (#15), Petitioner asks to stay any motions or action on his claims until he can retain legal counsel. Petitioner expects this to occur at some point after his August 23, 2011, parole hearing.

Petitioner’s Motion to Stay is GRANTED. The Clerk of Court is directed to administratively terminate the case. Petitioner is directed to file a motion to reopen the case within forty-five (45) days of his August 23, 2011 parole hearing. If a motion to reopen the case is not filed within forty-five (45) days of the parole hearing, the Court will recommend dismissal of the petition with prejudice.

IT IS SO ORDERED this 26th day of July, 2011.



UNITED STATES MAGISTRATE JUDGE