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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JERRY WIZAR,)	Case No. CV 15-03717-PSG (KES)
)	
Petitioner,)	
)	ORDER ACCEPTING FINDINGS,
vs.)	AND RECOMMENDATIONS OF
)	UNITED STATES MAGISTRATE
STU SHERMAN, Warden,)	JUDGE
)	
Respondent.)	

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition, Petitioner’s Motion for Stay and Abeyance, Respondent’s Opposition to Motion for Stay and Abeyance, Petitioner’s Reply to Opposition to Motion for Stay and Abeyance, Respondent’s Sur-Reply to Petitioner’s Reply to Opposition to Motion to Stay, Petitioner’s Motion for an Evidentiary Hearing, the other records on file herein, and the Report and Recommendation of the United States Magistrate Judge. Petitioner has filed Objections to the Report and Recommendation. Having made a de novo determination of those portions of the Report and Recommendation to which Objections have been made, the Court accepts the findings and recommendations of the Magistrate Judge.

IT IS THEREFORE RECOMMENDED that the District Court issue an Order:
(1) approving and accepting this Report and Recommendation; (2) denying

1 Petitioner's request for a stay pursuant to Rhines; (3) denying Petitioner a Kelly stay;
2 and (4) ordering Respondent to file an Answer to Ground One of the First Amended
3 Petition within thirty (30) days from the entry of the District Court's Order.

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5 DATED: 06/27/2016



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7 PHILIP S. GUTIERREZ
8 UNITED STATES DISTRICT JUDGE
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