

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JAMES ANTHONY GONZALES,) **NO. 2:22-cv-05828-SB-KS**
Petitioner,)
v.)
THE PEOPLE OF THE STATE OF) **ORDER ACCEPTING FINDINGS AND**
CALIFORNIA,) **RECOMMENDATIONS OF UNITED**
Respondent.) **STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus (“Petition”), all of the records herein, the Amended Report and Recommendation of United States Magistrate Judge (“Report”), and Petitioner’s Objections to the Magistrate Judge’s Original Report and Recommendation (“Objections”). Pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), the Court has conducted a *de novo* review of those portions of the Report to which objections have been stated. Having completed its review, the Court accepts the findings and recommendations set forth in the Report.

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1 Accordingly, IT IS ORDERED that: (1) Petitioner's request for a stay of this action is
2 DENIED for the failure to satisfy the criteria set forth in *Rhines v. Weber*, 544 U.S. 269
3 (2005); and (2) Judgment shall be entered dismissing this action without prejudice because it
4 is wholly unexhausted.

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7 DATED: November 21, 2022



STANLEY BLUMENFELD, JR.
UNITED STATES DISTRICT JUDGE