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DATED: 4-3-13

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[Signature]

ENTERED - SOUTHERN DIVISION
CLERK, U.S. DISTRICT COURT
APR - 3 2013
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

JS-6 Entered
FILED
CLERK, U.S.D.C. SOUTHERN DIVISION
APR - 3 2013
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RICKY DONELL JONES,
Petitioner,
vs.
MATTHEW CATE, Secretary, et
al.,
Respondents.

Case No. EDCV 11-1035-SVW (RNB)

J U D G M E N T

Petitioner having failed to file a notice of withdrawal of his two unexhausted claims and a request to hold the operative First Amended Petition in abeyance pursuant to the Kelly procedure within thirty (30) days of the issuance of the Court's November 8, 2012 Order Accepting Findings and Recommendations of United States Magistrate Judge,

IT IS ADJUDGED that the First Amended Petition is denied and this action is dismissed without prejudice for failure to exhaust state remedies.

DATED: 3/19/13

[Signature]
STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE