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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL COREY SLAUGHTER,

Petitioner,

v.

KEVIN CHAPPELL, AS WARDEN OF SAN
QUENTIN CALIFORNIA STATE PRISON,

Respondent.

Case No. 1:05-cv-00922-AWI-SAB
DEATH PENALTY CASE
ORDER DISMISSING CLAIM 47 ONLY
WITH PREJUDICE

On December 23, 2014, Magistrate Judge Stanley A. Boone ordered Petitioner either show cause why Claim 47 in the second amended petition alleging clerical error in the abstract of judgment should not be dismissed with prejudice, or file a dismissal with prejudice of Claim 47.

On January 6, 2015, Petitioner and Respondent filed a stipulation that Claim 47 is moot and that the Court enter an order dismissing with prejudice Claim 47 (ECF No. 99).

Accordingly, it is HEREBY ORDERED that:

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1. The order to show cause (ECF No. 98) is DISCHARGED;
2. Claim 47 in the second amended petition for writ of habeas corpus is DISMISSED with prejudice; and
3. The Clerk of the Court is directed that this case shall remain open.

IT IS SO ORDERED.

Dated: January 9, 2015



SENIOR DISTRICT JUDGE