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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARTHUR LOURDES LENIX,)	1:09-cv-01683-AWI-JLT HC
)	
Petitioner,)	ORDER DISREGARDING PETITIONER’S
)	MOTION TO REINSTATE STAY (Doc. 21)
v.)	
)	ORDER DENYING PETITIONER’S
DOMINGO URIBE, JR., Warden,)	MOTION TO CLARIFY (Doc. 22)
)	
Respondent.)	

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner originally filed his federal petition on September 23, 2009. (Doc. 1). On March 18, 2010, the Court ordered Respondent to file a response to the claims contained in the original petition. (Doc. 6). Shortly thereafter, on April 1, 2010, Petitioner filed the instant motion for a stay of proceedings. (Doc. 9). On May 3, 2010, the Court granted Petitioner’s motion for stay of proceedings and required Petitioner to file regular status reports. (Doc. 12). On May 6, 2010, Petitioner, for reasons unknown, filed a second motion for stay of proceedings, i.e., *after the Court had already granted his earlier requested stay*. (Doc. 13). On March 21, 2011, after a clerical review of pending motions revealed that this Court had never ruled on the apparently redundant motion of May 6, 2010, the Court denied the motion as moot in light of the Court’s previous order granting a stay. (Doc. 20). On April 5, 2011, Petitioner filed the instant motion to reinstate the stay as well as a motion to clarify the Court’s ruling. (Docs. 21 & 22).

1 As to Petitioner’s motion to re-instate the stay, the motion is unnecessary and redundant: the
2 Court has never rescinded the stay; it only denied the May 6, 2010 motion for stay because the Court
3 *had already granted* Petitioner a stay. Accordingly, the case has remained administratively closed
4 and in “stay” status since Petitioner’s first stay request was granted on May 3, 2006. Because the
5 stay has never been lifted, it cannot be re-instated. That being the case, the Court will disregard
6 Petitioner’s motion to re-instate the stay.

7 Regarding Petitioner’s motion for clarification, the Court fully explains its rulings in each
8 motion. In the order of March 21, 2011, the Court expressly indicated that it was denying the stay
9 request of May 6, 2011, “in light of” the Court’s prior ruling granting a stay. Accordingly,
10 Petitioner’s motion for clarification is denied.

11 **ORDER**

12 For the foregoing reasons, the Court HEREBY ORDERS as follows:

- 13 1. Petitioner’s motion to re-instate the stay of proceedings (Doc. 21) is
14 DISREGARDED; and,
- 15 2. Petitioner’s motion for clarification (Doc. 22), is DENIED.

16
17 IT IS SO ORDERED.

18 Dated: June 1, 2011

19 /s/ Jennifer L. Thurston
20 UNITED STATES MAGISTRATE JUDGE