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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALFRED SUNIGA, III,)	10-CV-00090 GSA HC
)	
Petitioner,)	ORDER REQUIRING PETITIONER TO
)	SUBMIT STATUS REPORT
v.)	
)	
MIKE McDONALD,)	
)	
Respondent.)	
_____))	

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. He is represented in this action by David R. Mugridge, Esq. Petitioner has consented to the jurisdiction of the Magistrate Judge pursuant to 28 U.S.C. § 636(c).

On February 9, 2010, the Court issued an order granting Petitioner’s motion for stay of the proceedings pending exhaustion of state remedies with respect to two claims. Petitioner was directed to file a status report within ninety (90) days of the order and every ninety (90) days thereafter. Over ninety (90) days have passed since the last status report was filed. Again, the Court finds itself having to remind Petitioner that a court deadline has passed and he has failed to act.

Accordingly, Petitioner is ORDERED to submit a status report informing the Court of his progress in the state courts within fourteen (14) days of the date of service of this order. Petitioner is

1 strongly cautioned that failure to comply with this order as well as all future deadlines, such as the
2 February 9, 2010, order, will result in sanctions pursuant to Local Rule 110, which will include, *inter*
3 *alia*, vacating the stay.

4 IT IS SO ORDERED.

5 **Dated: January 25, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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