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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANK RIVERA,)	1:10-cv-00223-SMS-HC
)	
Petitioner,)	ORDER DENYING AS MOOT
)	PETITIONER'S MOTION TO VACATE
v.)	STAY AND DIRECT THE FILING OF A
)	RESPONSE TO THE PETITION (Doc.
)	36)
JAMES D. HARTLEY, Warden,)	
)	
Respondent.)	
)	
)	

Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 that was transferred to this Court from the United States District Court for the Central District of California. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 304. Pending before the Court is Petitioner's motion to vacate a stay and to direct the filing of a response to the petition.

By order filed on July 22, 2010, this Court denied Petitioner's motion for a stay and directed the Respondent to file a response to the petition.

Accordingly, it is ORDERED that Petitioner's motion to

1 vacate a stay and direct the filing of a response is DENIED as
2 moot.

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4 IT IS SO ORDERED.

5 **Dated:** August 3, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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