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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

10 JAMES E. COOPER,) 1:10-CV-00255 LJO GSA HC
11 Petitioner,) ORDER DENYING PETITIONER'S
12 v.) MOTION FOR STAY OF JUDGMENT
13 B. CURRY, Warden,) [Doc. #11]
14 Respondent.)

)

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

18 On April 12, 2010, the undersigned issued an Order dismissing the petition as successive.
19 Judgment was entered the same date. On April 19, 2010, Petitioner filed a motion for stay of
20 judgment until he receives permission to file a successive petition from the Ninth Circuit Court of
21 Appeals. Petitioner’s motion will be denied. Under 28 U.S.C. § 2241(b)(3)(A), Petitioner must move
22 in the Ninth Circuit Court of Appeals for an order authorizing a successive application “[b]efore a
23 second or successive application . . . *is filed.* (italics added.)

24 Accordingly, Petitioner's motion for stay of judgment is hereby DENIED.

25 IT IS SO ORDERED.

26 || Dated: April 26, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE