

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

W. C. SPIVEY, III,
Petitioner,
v.
CONNIE GIPSON, Warden,
Respondent.

Case No. 1:12-cv-00206-LJO-SKO-HC
ORDER DISMISSING PETITIONER'S
MOTION FOR CLARIFICATION (DOC. 38)

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. The matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 through 303. Pending before the Court is Petitioner's motion for clarification filed on April 30, 2014.

On October 17, 2013, the Court denied Petitioner's motion for a stay of the proceedings to permit Petitioner to exhaust new claims. In the motion for clarification, Petitioner seeks information regarding the status of Petitioner's old and new claims.

1 The Court's order is self-explanatory. The petition proceeds
2 on Petitioner's initially filed claims, which Respondent has
3 answered, and as to which Petitioner has filed a traverse.

4 Accordingly, Petitioner's motion for clarification is DISMISSED
5 as moot.

6
7
8 IT IS SO ORDERED.

9 Dated: September 2, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28