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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHNNY LEE BRIGGS,

1:12-CV-00270 AWI GSA HC

Petitioner,

ORDER DENYING PETITIONER'S
MOTION TO REINSTATE PETITION
[Doc. #12]

v.

SUPERIOR COURT OF FRESNO
COUNTY, et al.,

ORDER DIRECTING CLERK OF COURT
TO PROVIDE PETITIONER WITH FORM
PETITION

Respondents.

_____ /

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

On April 26, 2012, the District Court issued an order dismissing the petition for failure to exhaust state remedies. Judgment was entered on the same date and the case was terminated. On November 28, 2012, Petitioner filed the instant motion to reinstate the petition. He states he has completed exhaustion of his state remedies. Petitioner is advised that this case is closed. In order to pursue habeas relief, he must file a new petition with the Court and commence a new case. The Clerk of Court will be directed to provide Petitioner with a blank form petition.

Accordingly, IT IS HEREBY ORDERED:

- 1) Petitioner's motion to reinstate petition is DENIED; and
- 2) The Clerk of Court is DIRECTED to provide Petitioner with a blank habeas form petition.

IT IS SO ORDERED.

Dated: December 13, 2012

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE