

1 contains unexhausted claims, he shall submit a supplement to his motion to dismiss; or 2) If
2 Respondent concedes the petition is now exhausted, he shall move to withdraw the motion to
3 dismiss.

4 **ORDER**

5 Accordingly, the Court orders as follows:

- 6 1. **Within thirty days** of the date of service of this Order, Respondent is DIRECTED
7 to file either a supplement to his motion to dismiss, or a motion to withdraw his
8 motion to dismiss;
- 9 2. In the event Respondent files a supplement to the motion to dismiss, Petitioner
10 may file a supplement to his opposition with thirty days of the filing of
11 Respondent's supplement.

12
13 IT IS SO ORDERED.

14 Dated: **May 9, 2017**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE