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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JEFFREY GERARD JONES,  
Petitioner,

v.

RON BROOMFIELD<sup>1</sup>,  
Respondent.

No. 2:97-CV-2167-MCE-DMC  
**DEATH PENALTY CASE**  
ORDER

Petitioner, a state prisoner proceeding with appointed counsel, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On June 9, 2021, Petitioner filed a report on the status of state court proceedings. See ECF No. 151. Notably, Petitioner advises this Court that, pursuant to the stipulation of the parties, his death sentence has been vacated and that Petitioner has been resentenced to life without the possibility of parole. See id. at 2. In light of Petitioner’s resentencing in state court, Petitioner shall show cause in writing within 30 days of the date of this order why the instant federal death penalty action should not be dismissed without prejudice to Petitioner’s right to

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Ron Broomfield is substituted for his predecessor. The Clerk of the Court is directed to update the docket to reflect the above caption.

1 challenge his current sentence by way of a new petition upon exhaustion of all state court  
2 remedies.

3 IT IS SO ORDERED.

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5 Dated: August 27, 2021



6 DENNIS M. COTA  
7 UNITED STATES MAGISTRATE JUDGE  
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