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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS MENDOZA,  
Petitioner,  
v.  
JOE LIZARRAGA,<sup>1</sup>  
Respondent.

No. 2:98-cv-2150 MCE GGH P

ORDER

This habeas matter, in which petitioner proceeded with appointed counsel, was stayed pending exhaustion on May 8, 2000. (ECF No. 29.) It has now been stayed for more than fourteen years. On November 4, 2014, respondent filed a motion to lift stay and dismiss the case.

Accordingly, IT IS ORDERED that:

1. Respondent’s motion to lift the stay is granted, and this case is reopened;
2. Petitioner, through counsel Denise Kendall, shall file a response to respondent’s motion to dismiss within fourteen days of this order;
3. The Clerk of the Court shall serve this order on Ms. Kendall both at her address of record and at a secondary address: [kendall@ospd.ca.gov](mailto:kendall@ospd.ca.gov);<sup>2</sup> and

<sup>1</sup> Joe Lizarraga, current warden of the Mule Creek State Prison, is substituted as respondent. See Stanley v. California Supreme Court, 21 F.3d 359, 360 (9th Cir.1994).

<sup>2</sup> A search of the California State Bar website indicates that Ms. Kendall is currently employed

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4. The Clerk of the Court shall also serve this order on petitioner at his most recent address, at Mule Creek State Prison, and on Carolyn Wiggin, Assistant Federal Defender.

Dated: November 21, 2014

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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by the Office of the State Public Defender in Oakland. Therefore, this order will be served on her at that location also.