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Accordingly,

1. The findings and recommendations issued on August 3, 2022 (Doc. No. 402) are adopted in full;
2. Petitioner's motion for stay and abeyance to permit exhaustion of claims in state court, filed November 22, 2021 (Doc. No. 397) is granted;
3. This action is stayed pursuant to *Kelly v. Small*, 315 F.3d 1063 (9th Cir. 2003), *overruled on other grounds by Robbins v. Carrey*, 481 F.3d 1143 (9th Cir. 2007);
4. Petitioner is directed to file a status report within ninety (90) days of the date of this order advising the court the status of the state court proceedings, and shall file an additional status report every ninety (90) days thereafter; and
5. Within thirty (30) days after the state court issues a final order resolving the unexhausted claims, petitioner shall file a motion to lift the stay and an amended habeas petition setting forth all exhausted claims.

IT IS SO ORDERED.

Dated: January 23, 2023

  
UNITED STATES DISTRICT JUDGE