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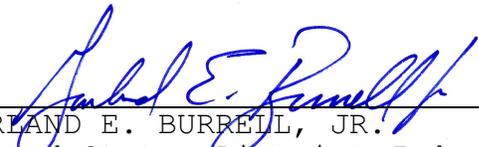
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BARRY FLOYD BRAESEKE,)	
)	2:05-cv-00279-GEB-KJM P
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
MICHAEL MARTEL,)	
)	
Respondent.)	
_____)	

Respondent Michael Martel ("Respondent") filed a "Motion for Reconsideration[, or in the alternative,] Application for a Stay of the Court's December 27, 2010 Order" on January 3, 2011. (ECF No. 48.) Respondent requests the Court "reconsider its ruling and dismiss Braeseke's Petition" since the Board of Prison Terms conducted a parole consideration hearing for Petitioner on May 25, 2010. Id. at 5-9. In the alternative, Respondent requests the Court "stay its order pending an appeal." Id. at 2:10-11.

Petitioner is requested to file a written response to Respondent's motion no later than 4:00 p.m. on Friday, January 7, 2011.

Dated: January 4, 2011



 GARLAND E. BURRELL, JR.
 United States District Judge

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