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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

LARRY HARDWICK,

Petitioner,

v.

KEN CLARKE, et al.,

Respondents.

NO. CIV. S-06-672 LKK DAD P

O R D E R

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On October 29, 2010, respondent filed a renewed request (ECF No. 42) for a stay of this court's order requiring petitioner's immediate release (ECF No. 41). Petitioner filed a motion to strike the motion, arguing that respondent had failed to comply with the notice and hearing requirements of Local Rule 230(b). Petitioner's motion was set for hearing on November 29, 2010. On November 2, 2010, respondent filed a new motion to stay that complies with Local Rule 230(b). On November 19, 2010, respondents filed a request to withdraw their October 29, 2010 motion to stay, and to vacate the hearing on petitioner's motion to strike as moot.

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Accordingly, the court orders as follows:


[1] Respondent's October 29, 2010 request for a stay (ECF No. 42) is WITHDRAWN.

[2] Petitioner's motion to strike (ECF No. 43) is DENIED as moot.

[3] The hearing scheduled for November 29, 2010 is VACATED.

IT IS SO ORDERED.

DATED: November 22, 2010.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT