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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 08-256-GHK	Date	August 24, 2009
Title	*Marquiest Leon Murphy v. Tom Felker*		

Presiding: The Honorable	**GEORGE H. KING, U. S. DISTRICT JUDGE SITTING BY DESIGNATION**

Beatrice Herrera	N/A	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
None	None

Proceedings: **(In Chambers) Order re: Petitioner's Motion for Stay and Abeyance of His Habeas Petition**

On February 23, 2009, Petitioner requested a stay and abeyance of his habeas petition. On July 13, 2009, the Court issued an Order to Show Cause ("OSC") why the Court should grant the stay. On August 12, the Court ordered Petitioner to file Blackwell's affidavit. Petitioner filed Blackwell's affidavit on August 21, 2009.

After reviewing Petitioner's response to the OSC and Blackwell's affidavit, the Court GRANTS Petitioner's motion for a stay and abeyance. The Court will stay Petitioner's petition until 7 days following the Sacramento Superior Court's decision in Petitioner's state habeas case, Case No. 08F10336. Both Petitioner and Respondent shall be obligated to give timely notice to the court of such decision.

IT IS SO ORDERED.

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