

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

FREDY L. GOMEZ,

No. CIV S-08-1317-CMK-P

Petitioner,

vs.

ORDER

D.K. SISTO, et al.,

Respondents.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 20, 2010, the District Judge issued an order denying petitioner’s motion for a stay-and-abeyance order, dismissing Grounds One, Four, and Five as unexhausted, and requiring an answer as to remaining Grounds Two, Three, and Six. Petitioner filed an interlocutory appeal challenging that order, which was dismissed for lack of appellate jurisdiction on May 18, 2010. The mandate has issued and jurisdiction has been returned to this court.

///
///
///

1 A review of the docket reflects that respondents filed their answer to the
2 remaining claims on May 7, 2010. Petitioner may file a traverse within 30 days of the date of
3 this order. Thereafter, the matter will stand submitted on the merits.

4 IT IS SO ORDERED.

5
6 DATED: June 22, 2010

7 
8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26