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

TYRONE TURNER,

No. CIV S-09-0484-MCE-CMK-P

Petitioner,

vs.

ORDER

DENNIS KRIS 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. Pending before the court is petitioner’s request for additional time to file his traverse, and for a stay of these proceedings (Doc. 13).

Petitioner argues these proceedings should be stayed until the Ninth Circuit Court of Appeals issues a ruling in Hayward v. Marshall, case number 06-55392. The court declines to stay these proceedings. However, Petitioner will be granted additional time to file his traverse.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Petitioner’s request for a stay of proceedings (Doc. 13) is denied;

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- 2. Petitioner's request for an extension of time is granted; and
- 3. Petitioner may file a traverse within 30 days of the date of this order.

DATED: July 20, 2009



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE