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

ANTONIO VENTURA,

Petitioner,

No. CIV S-09-1873 MCE KJM P

vs.

D.K. SISTO, et al.,

Respondents.

ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 15, 2010, respondent requested that this matter be stayed pending the Ninth Circuit’s en banc decision in Hayward v. Marshall. The en banc decision has issued: Hayward v. Marshall, 603 F.3d 546 (9th Cir. 2010). Therefore, respondents’ request for a stay (#13) is denied as unnecessary at this time, and their response to petitioner’s application for writ of habeas corpus is due within thirty days. See January 13, 2010 order.

DATED: August 16, 2010.



U.S. MAGISTRATE JUDGE

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