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

TOMMY HENDERSON,

Petitioner,

No. CIV S-09-2189 DAD P

vs.

MICHAEL MARTEL,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. In accordance with the court’s order filed October 1, 2009, petitioner has filed a renewed motion for a stay and abeyance.

Since petitioner may be entitled to relief if the claimed violations of constitutional rights are proved, respondent will be directed to file an opposition or a statement of no opposition in response to petitioner’s renewed motion for a stay and abeyance.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Respondent is directed to file an opposition or statement of no opposition in response to petitioner’s October 16, 2009 renewed motion for a stay and abeyance within thirty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases;

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