(HC) Henderson v. Martel	
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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	TOMMY HENDERSON,
11	Petitioner, No. CIV S-09-2189 DAD P
12	VS.
13	MICHAEL MARTEL,
14	Respondent. <u>ORDER</u>
15	/
16	Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas
17	corpus pursuant to 28 U.S.C. § 2254. In accordance with the court's order filed October 1, 2009,
18	petitioner has filed a renewed motion for a stay and abeyance.
19	Since petitioner may be entitled to relief if the claimed violations of constitutional
20	rights are proved, respondent will be directed to file an opposition or a statement of no
21	opposition in response to petitioner's renewed motion for a stay and abeyance.
22	In accordance with the above, IT IS HEREBY ORDERED that:
23	1. Respondent is directed to file an opposition or statement of no opposition in
24	response to petitioner's October 16, 2009 renewed motion for a stay and abeyance within thirty
25	days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases;
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2. If respondent files an opposition to petitioner's motion, petitioner shall file a reply, if any, within fifteen days after service of the opposition; and 3. The Clerk of the Court shall serve a copy of this order together with a copy of petitioner's original petition for writ of habeas corpus (Doc. No. 1), a copy of petitioner's renewed motion for a stay and abeyance (Doc. Nos. 7 & 8), and a copy of the form regarding consent or request for reassignment on Michael Patrick Farrell, Senior Assistant Attorney General. DATED: March 3, 2010. DAD:9 UNITED STATES MAGISTRATE JUDGE hend2189.100mod