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

CLARENCE JOSEPH HAYES,

Petitioner,

No. 2:09-cv-2433-WBS-JFM (HC)

vs.

D.K. SISTO,

Respondent.

ORDER

_____/

Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 16, 2010, petitioner filed a traverse. Respondent has not, however, filed an answer yet. It appears petitioner, who has a related petition pending in case 2:07cv2755-WBS-JFM, may have misfiled the traverse. Accordingly, IT IS HEREBY ORDERED that petitioner's April 16, 2010 traverse is stricken. Petitioner may file a traverse within thirty days of respondent's answer.

DATED: May 6, 2010.


UNITED STATES MAGISTRATE JUDGE

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