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

CARMELO RODRIGUEZ,

Petitioner,

No. CIV S-10-0048 LKK GGH P

vs.

KATHLEEN DICKINSON,

Respondents.

ORDER

_____ /

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges the 2008 decision by the California Board of Parole Hearings (BPH) finding him unsuitable for parole.

On February 4, 2011, the undersigned ordered both parties to file simultaneously briefing regarding the United States Supreme Court decision in Swarthout v. Cooke, 502 U.S. ___, ___ S. Ct. ___, 2011 WL 197627 *2 (Jan. 24, 2011). Respondent filed briefing and petitioner filed a request for an extension and on March 3, 2011, the undersigned provided petitioner a 30 day extension, with no further extensions.

On March 3, 2011, petitioner filed a motion to stay the proceedings. The motion is meritless and is denied. Petitioner must file his opposition as set forth in the court’s March 3, 2011, order.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's motion for a stay (Doc. 29) is denied;
2. Petitioner must file his briefing as set forth in the March 3, 2011, order.

DATED: March 9, 2011

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

GGH: AB
rodr0048.ord