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

CHICO ROMERO WATTS,

Petitioner,

No. CIV S-10-0277 WBS GGH P

vs.

D. ADAMS, et al.,

ORDER

Respondents.

_____ /

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 5, 2010, petitioner’s petition was stayed pursuant to King/Kelly, for petitioner to exhaust several additional claims in state court.¹ On February 3, 2012, petitioner filed a notice that his unexhausted claims had been exhausted. Petitioner also included an order from the California Supreme Court denying his petition for writ of habeas corpus on March 30, 2011, though it is not clear why petitioner waited so long to inform this court. Nevertheless, if petitioner wishes to proceed he must file an amended petition in this court containing all exhausted claims he wishes to pursue, within 28 days. Failure to file an amended petition will result in a recommendation that this action be dismissed.

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¹ It appeared that a few claims were properly exhausted in the original filing.

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Accordingly, IT IS HEREBY ORDERED that petitioner file an amended petition containing the exhausted claims he wishes to pursue within 28 days of service of this order. Failure to file an amended petition will result in a recommendation that this action be dismissed.

DATED: February 17, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
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