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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK DIXON,
Petitioner,
v.
JAMES YATES,
Respondent.

No. 2:10-cv-0631 JAM AC P

ORDER

Petitioner is a state prisoner proceeding through counsel with this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

By findings and recommendations filed March 28, 2016, the undersigned recommended that the petition be granted. ECF No. 86. Petitioner has now filed a motion for bail pending disposition of the petition (ECF No. 87), which respondent opposes (ECF No. 89). The district judge has yet to rule on the findings and recommendations and respondent has indicated that he intends to file an opposition (ECF Nos. 88, 89). For these reasons, the undersigned finds the motion for bail to be premature. Petitioner may renew his motion should the district judge adopt the March 28, 2016 findings and recommendations.

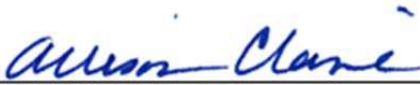
Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s motion for bail pending disposition of the petition (ECF No. 87) is denied without prejudice. Petitioner may renew his motion should the district judge adopt the March 28,

1 2016 findings and recommendations.

2 2. The May 4, 2016 hearing on the motion is vacated.

3 DATED: April 11, 2016

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5 ALLISON CLAIRE
6 UNITED STATES MAGISTRATE JUDGE

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