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

AARON GREY,

Petitioner,

No. CIV S-10-1257 JAM EFB P

vs.

M.D. McDONALD,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. On November 15, 2010, petitioner requested that this action be stayed pending the issuance of a decision by the California Supreme Court in *People v. Albillar*, Case No. S163905. Dckt. No. 22. On November 22, 2010, respondent filed a statement of non-opposition to petitioner’s motion to stay. Dckt. No. 23. A review of the California Supreme Court’s docket shows that the California Supreme Court issued a decision in *Albillar* on December 20, 2010.¹ *See People v. Albillar*, 2010 Cal. LEXIS 13054 (Cal. Dec. 20, 2010). Petitioner’s motion to stay is therefore denied as moot.


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¹ A court may take judicial notice of court records. *See MGIC Indem. Co. v. Weisman*, 803 F.2d 500, 505 (9th Cir. 1986); *United States v. Wilson*, 631 F.2d 118, 119 (9th Cir. 1980).

1 On December 22, 2010, petitioner requested an extension of time to file and serve a
2 traverse. *See* Fed. R. Civ. P. 6(b). Good cause appearing, petitioner's December 22, 2010
3 motion is granted and petitioner shall file and serve a traverse within 30 days of the date this
4 order is served.

5 So ordered.

6 DATED: January 4, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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