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

CARLOS MOSQUEDA,

Petitioner,

No. CIV S-11-745 GGH

vs.

MICHAEL MARTEL,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis. Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a).

In addition to filing and serving a petition, petitioner has also filed and served a motion for stay and abeyance, asserting that two of his three claims have been exhausted and that the remaining claim is currently pending adjudication in state court.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Petitioner’s application to proceed in forma pauperis is granted;

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2. Respondent is directed to file a response to petitioner's motion to stay (Doc. #3) within fourteen (14) days.

2. The Clerk of the Court shall serve a copy of this order and *the consent/reassignment form contemplated by Appendix A(k) to the Local Rules of this court* on Michael Patrick Farrell, Senior Assistant Attorney General.

DATED: May 9, 2011

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

GGH:014
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