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

CHARLES BLEDSOE,

Petitioner,

No. 2:11-cv-1590 MCE JFM P

vs.

M. MARTEL, Warden,

ORDER

Respondents.

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Petitioner is a state prisoner proceeding through court-appointed counsel with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 15, 2013 petitioner filed a request for an extension of time to comply with this court’s December 17, 2012 order. Pursuant to that order, counsel was directed to file within sixty days either a supplemental brief in support of petitioner’s pro se motion to stay these proceedings, filed May 1, 2012, or notice that counsel intends to rest on the motion and reply brief filed by petitioner. In the request for extension of time, petitioner’s counsel represents that she is still gathering relevant material.

After review of the record, and good cause appearing, the court will deny petitioner’s pro se motion to stay without prejudice. Petitioner, through his counsel, will be granted a period of sixty days to file, as appropriate, either an amended petition raising only

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1 exhausted claims or a new motion to stay these proceedings. Petitioner's motion for extension of  
2 time is mooted by this order and will therefore be denied.

3 In accordance with the above, IT IS HEREBY ORDERED that:

- 4 1. Petitioner's May 1, 2012 motion to stay is denied without prejudice.
- 5 2. Petitioner is granted sixty days from the date of this order to file, as  
6 appropriate, either an amended petition raising only exhausted claims; and
- 7 3. Petitioner's February 15, 2013 motion for extension of time is denied as moot.

8 DATED: February 20, 2013.

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11 UNITED STATES MAGISTRATE JUDGE

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