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

STEVEN LAWRENCE GARDUNO,

Petitioner,

No. CIV S-11-1835 CKD P

vs.

MICHAEL D. MCDONALD,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner, a California prisoner proceeding pro se, has filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. He challenges convictions entered in the Superior Court of Sacramento County in 2009.

A review of court records in Garduno v. McDonald, CIV-S-11-0469 CKD P reveals that petitioner has a petition for writ of habeas corpus pending in this court in which he also challenges his 2009 Sacramento County convictions. Pursuant to the Ninth Circuit Court of Appeals’ decision in Woods v. Carey, 525 F.3d 886, 890 (9th Cir. 2008), the court will order that the petition filed in this case be identified as an “amended petition” and filed in CIV-S-11-0469 CKD P. Petitioner has filed a motion for a stay in this action which will also be transferred to CIV-S-11-0469 CKD P. The court will order that this case be closed.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's July 14, 2011 motion to proceed in forma pauperis is denied;
2. The Clerk of the Court rename the petition for writ of habeas corpus filed in this case "Amended Petition" and file it, and petitioner's September 14, 2011 motion for a stay, in CIV-S-11-0469 CKD P; and
2. This case is closed.

Dated: October 24, 2011

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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