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

NICOLA CHRISTOPHER BUCCI,

Petitioner,

No. 2: 11-cv-3147 GEB KJN P

vs.

TIMOTHY E. BUSBY, et al.,

Respondents.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding with counsel, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee.

The petition raises eight claims. Petitioner states that claims one and two are exhausted and claim three is partially exhausted. Petitioner states that he is in the process of exhausting the remaining claims in state court. Petitioner states that he has separately filed a motion to stay this action pending exhaustion, but the docket does not contain this motion.

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


1. Within twenty-one days of the date of this order, petitioner shall file and notice for hearing the motion to stay discussed in the petition;

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1                   2. The Clerk of the Court shall serve a copy of this order and a copy of the  
2 petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on Michael Patrick Farrell,  
3 Senior Assistant Attorney General.

4 DATED: December 6, 2011

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7 KENDALL J. NEWMAN  
8 UNITED STATES MAGISTRATE JUDGE

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