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

JONATHON ANDREW HAMPTON,

No. 2:12-cv-0946-JAM-CMK-P

Petitioner,

vs.

ORDER

M. BITER,

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner’s motion to stay (Doc. 12) and petitioner’s motion to lift the stay (Doc. 17).

Petitioner requested the court issue an order holding this case in abeyance while he exhausted his state remedies. Respondent, having been ordered to respond to the petition, filed a statement of non-opposition to petitioner’s motion to stay. Prior to the stay being entered, petitioner filed a motion to lift the stay, indicating his state remedies are now fully exhausted, the California Supreme Court having denied his petition for writ of habeas corpus.

Given the current motions, the court concludes that a stay is no longer necessary. As such, petitioner’s motions are denied as unnecessary. As no stay is necessary, Respondent

1 shall now file a response to the petition as originally ordered. Respondent's response to the
2 petition shall be filed within 45 days from the date of this order. Petitioner's traverse or reply, if
3 any, or opposition or statement of non-opposition (if a motion is filed in response to the petition)
4 shall be filed and served within 30 days after service of respondent's response.

5 IT IS SO ORDERED.

6
7 DATED: August 10, 2012

8 
9 **CRAIG M. KELLISON**
10 UNITED STATES MAGISTRATE JUDGE