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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD VINCENT ROOD,
Petitioner,
v.
GARY SWARTHOUT,
Respondent.

No. 2:12-cv-01476 AC P

ORDER


Petitioner, a state prisoner proceeding pro se and in forma pauperis, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The parties have consented to the jurisdiction of the undersigned for all further proceedings. ECF Nos. 7, 13. The court is in receipt of petitioner’s most recent status report filed on September 8, 2014 indicating that his state habeas petition filed with the California Court of Appeal was denied on August 14, 2014. ECF No. 35.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s next status report shall be filed on or before December 8, 2014 indicating whether or not he has exhausted his claims in the California Supreme Court.
2. In the event that the California Supreme Court rules on petitioner’s state habeas corpus petition prior to December 8, 2014, petitioner shall filed a notice of exhaustion in this court in lieu of the status report along with a motion to lift the stay of these proceedings. Any notice of exhaustion shall be accompanied by a complete copy of the state habeas corpus petition filed in

1 the California Supreme Court and its final order resolving the petition.

2 DATED: September 12, 2014

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4 ALLISON CLAIRE
5 UNITED STATES MAGISTRATE JUDGE
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